S. HRG. 102-107

KOOTENAI AND LOLO NATIONAL FOREST MANAGEMENT ACT OF 1991

HEARING

BEFORE THE

SUBCOMMITTEE ON
PUBLIC LANDS, NATIONAL PARKS AND FORESTS

OF THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED SECOND CONGRESS

FIRST SESSION

ON

S. 72

TO DESIGNATE CERTAIN LANDS ON THE KOOTENAI AND LOLO NATIONAL FORESTS IN MONTANA AS WILDERNESS, TO RELEASE OTHER LANDS ON THOSE FORESTS FOR MULTIPLE USE MANAGEMENT, AND FOR OTHER PURPOSES

MISSOULA, MT, JUNE 10, 1991

Printed for the use of the
Committee on Energy and Natural Resources

U.S. GOVERNMENT PRINTING OFFICE

44-796 == WASHINGTON : 1991

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

S311-57

COMMITTEE ON ENERGY AND NATURAL RESOURCES

J. BENNETT JOHNSTON, Louisiana, *Chairman*

DALE BUMPERS, Arkansas
WENDELL H. FORD, Kentucky
BILL BRADLEY, New Jersey
JEFF BINGAMAN, New Mexico
TIMOTHY E. WIRTH, Colorado
KENT CONRAD, North Dakota
DANIEL K. AKAKA, Hawaii
WYCHE FOWLER, JR., Georgia
RICHARD C. SHELBY, Alabama
PAUL WELLSTONE, Minnesota

MALCOLM WALLOP, Wyoming
MARK O. HATFIELD, Oregon
PETE V. DOMENICI, New Mexico
FRANK H. MURKOWSKI, Alaska
DON NICKLES, Oklahoma
CONRAD BURNS, Montana
LARRY E. CRAIG, Idaho
JOHN SEYMOUR, California
JAKE GARN, Utah

BENJAMIN S. COOPER, *Staff Director*
D. MICHAEL HARVEY, *Chief Counsel*
G. ROBERT WALLACE, *Staff Director for the Minority*
GARY G. ELLSWORTH, *Chief Counsel for the Minority*

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

DALE BUMPERS, Arkansas, *Chairman*
WYCHE FOWLER, JR., Georgia, *Vice Chairman*

BILL BRADLEY, New Jersey
JEFF BINGAMAN, New Mexico
TIMOTHY E. WIRTH, Colorado
KENT CONRAD, North Dakota
DANIEL K. AKAKA, Hawaii
PAUL WELLSTONE, Minnesota

FRANK H. MURKOWSKI, Alaska
JAKE GARN, Utah
MARK O. HATFIELD, Oregon
PETE V. DOMENICI, New Mexico
CONRAD BURNS, Montana
LARRY E. CRAIG, Idaho
JOHN SEYMOUR, California

J. BENNETT JOHNSTON and MALCOLM WALLOP are Ex Officio Members of the Subcommittee

THOMAS B. WILLIAMS, *Senior Professional Staff Member*
J. DAVID BROOKS, *Counsel*
ERICA ROSENBERG, *Counsel*
JIM O'TOOLE, *Professional Staff Member (Minority)*

CONTENTS

	Page
S. 72	3

STATEMENTS

Bader, Mike, Alliance for the Wild Rockies, Missoula, MT	86
Balla, John C., manager, Northwestern Exploration Division, ASARCO, Inc., Spokane, WA	68
Baucus, Hon. Max, U.S. Senator from Montana	18
Bingaman, Hon. Jeff, U.S. Senator from New Mexico	1
Bolle, Arnold W., on behalf of Forever Wild Endowment of Montana, Missoula, MT	104
Brunner, Jo, executive secretary, Montana Water Resources Association, Helena, MT	96
Burns, Hon. Conrad, U.S. Senator from Montana	19
Craig, Hon. Larry E., U.S. Senator from Idaho	21
Cremer, Gary N., resource manager, W-I Forest Products, Thompson Falls, MT	27
Elser, Arnold D. "Smoke", Montana Outfitters and Guides Association, Missoula, MT	28
Erickson, David R., president, Kootenai Wildlands Alliance, Libby, MT	56
Evans, Barbara, Missoula County Commissioner, Missoula, MT	129
Hill, Tucker, Champion International Corp., Milltown, MT	31
Ibsen, Dirk, Missoula, MT	32
Kulawinski, Dick, Missoula, MT	46
Okonski, Jerry P., Libby Ski Search, Libby, MT	73
Scott, Michael D., the Wilderness Society, Bozeman, MT	98
Slingsby, Gerry, president, Lumber, Production and Industrial Workers Local 3038, AFL-CIO, Missoula, MT	22
Svoboda, Mark, vice president, Ten Lakes Snowmobile Club, Eureka, MT	64
Vincent, Bruce A., chairman, Communities for a Great Northwest, Libby, MT.	109
Williams, Noel E., Lincoln County Commissioner, Libby, MT	119

APPENDIX

Additional material submitted for the record	143

KOOTENAI AND LOLO NATIONAL FORESTS MANAGEMENT ACT OF 1991

MONDAY, JUNE 10, 1991

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS,
NATIONAL PARKS AND FORESTS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Missoula, MT.

The subcommittee met, pursuant to notice, at 8 a.m., at the Village Red Lion Motor Inn, Missoula, MT, Hon. Jeff Bingaman, presiding.

OPENING STATEMENT OF HON. JEFF BINGAMAN, U.S. SENATOR FROM NEW MEXICO

Senator BINGAMAN. If everybody would please take their chairs. This is a hearing before the Subcommittee of Public Lands, National Parks and Forests of the Senate Committee on Energy and Natural Resources. Senator Dale Bumpers, who is the chairman of the subcommittee is not able to be here. He has asked that I conduct the hearing.

I want to thank Erica Rosenberg and David Brooks of the committee staff for the work that they have done in organizing the hearing.

The purpose of the hearing today is to receive testimony on S. 72, which is a bill to designate wilderness and to release other lands for multiple use in the Lolo and Kootenai National Forests in Montana.

Few issues before this committee have been as controversial as Montana wilderness. Since 1983, nine Montana statewide wilderness bills have been introduced in Congress. Montana, along with Idaho, are the only remaining States that have not yet enacted a statewide RARE II wilderness bill.

Last year, in an attempt to resolve the wilderness dispute for the Kootenai and Lolo Forests, individuals representing the timber business, sportsmen, and environmental communities negotiated the Kootenai and Lolo Accords. Last year, both Senator Baucus and Senator Burns held town meetings on the Accords, and last July, Senator Baucus introduced S. 2832 which reflected the agreement reached in the Accords, as does this bill, S. 72.

While I understand that these wilderness proposals are extremely controversial, I think it is encouraging to see effective parties with such different points of view trying to work together to reach

an agreement. I look forward to hearing today from our distinguished witnesses about the appropriateness of those Accords.

[The text of S. 72 follows:]

II

102D CONGRESS
1ST SESSION

S. 72

To designate certain lands on the Kootenai and Lolo National Forests in Montana as wilderness, to release other lands on those forests for multiple use management, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 14 (legislative day, JANUARY 3), 1991

Mr. BAUCUS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To designate certain lands on the Kootenai and Lolo National Forests in Montana as wilderness, to release other lands on those forests for multiple use management, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be referred to as the "Kootenai and Lolo National Forest Management Act of 1991".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) many areas of undeveloped National Forest System lands on the Kootenai and Lolo National Forests in the State of Montana possess outstanding natural characteristics which give them high value as wilderness and will, if properly preserved, contribute as an enduring resource of wild land for the benefit of the American people;

(2) the existing Department of Agriculture Land and Resource Management Plans for the Kootenai and Lolo National Forests have identified areas which, on the basis of their landform, ecosystem, associated wildlife, and location will help to fulfill the National Forest System's share of a quality National Wilderness Preservation System;

(3) the existing Department of Agriculture Land and Resource Management Plans for the Kootenai and Lolo National Forests and the related congressional review of such lands have also identified areas that do not possess outstanding wilderness attributes or possess outstanding energy, mineral, timber, grazing, dispersed recreation, or other values. Such areas should not be designated as components of the National Wilderness Preservation System but should be available for non-wilderness multiple uses under the land management planning process and other applicable law.

(b) PURPOSES.—The purposes of this Act are to—

(1) designate certain lands on the Kootenai and Lolo National Forests as components of the National Wilderness Preservation System, in furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), in order to preserve the wilderness character of the land and to protect watersheds and wildlife habitat, preserve scenic and historic resources, and promote scientific research, primitive recreation, solitude, and physical and mental challenge; and

(2) ensure that certain other lands on the Kootenai and Lolo National Forests be available for non-wilderness uses.

SEC. 3. WILDERNESS DESIGNATIONS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following lands in the State of Montana are designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) certain lands in Kootenai National Forest, Montana, which comprise approximately 86,800 acres, as generally depicted on a map entitled "Cabinet Wilderness Additions—Proposed (McKay Creek, Chippewa Creek, Cabinet Face East, and Cabinet Face West)", dated January 1991, which are incorporated

in and shall be deemed to be a part of the Cabinet Wilderness;

(2) certain lands in the Kootenai National Forest, Montana, which comprise approximately 50,000 acres, as generally depicted on a map entitled "Scotchman Peaks Wilderness—Proposed", dated January 1991, which shall be known as the Scotchman Peaks Wilderness;

(3) certain lands in the Kootenai National Forest, Montana, which comprise approximately 19,300 acres, as generally depicted on a map entitled "Galena Wilderness—Proposed", dated January 1991, which shall be known as the Galena Wilderness;

(4) certain lands in the Kootenai National Forest, Montana, which comprise approximately 28,000 acres, as generally depicted on a map entitled "Trout Creek Wilderness—Proposed", dated January 1991, which shall be known as the Trout Creek Wilderness;

(5) certain lands in the Kootenai National Forest, Montana, which comprise approximately 44,500 acres, as generally depicted on a map entitled "Ten Lakes Wilderness—Proposed", dated January 1991, which shall be known as the Ten Lakes Wilderness;

(6) certain lands on the Kootenai National Forest, Montana, which comprise approximately 20,000 acres,

as generally depicted on a map entitled "Thompson-Seaton Wilderness—Proposed", dated January 1991, which shall be known as the Thompson-Seaton Wilderness;

(7) certain lands on the Kootenai National Forest, Montana, which comprise approximately 2,300 acres, as generally depicted on a map entitled "Tuchuck Wilderness—Proposed", dated January 1991, which shall be known as the Tuchuck Wilderness;

(8) certain lands on the Kootenai National Forest, Montana, which comprise approximately 22,900 acres, as generally depicted on a map entitled "Roderick Mountain Wilderness—Proposed", dated January 1991, which shall be known as the Roderick Mountain Wilderness;

(9) certain lands on the Kootenai National Forest, Montana, which comprise approximately 4,500 acres, as generally depicted on a map entitled "Grizzly Peak Wilderness—Proposed", dated January, 1991, which shall be known as the Grizzly Peak Wilderness;

(10) certain lands on the Kootenai National Forest, Montana, which comprise approximately 19,330 acres, as generally depicted on a map entitled "Northwest Peak Scenic Area Wilderness—Pro-

posed", dated January, 1991, which shall be known as the Northwest Peak Scenic Area Wilderness;

(11) certain lands in the Kootenai National Forest, Montana, which comprise approximately 21,000 acres, as generally depicted on a map entitled "Buckhorn Ridge Wilderness—Proposed", dated January 1991, which shall be known as the Buckhorn Ridge Wilderness;

(12) certain lands in the Kootenai and Lolo National Forests, Montana, which comprise approximately 38,000 acres, as generally depicted on a map entitled "Cube Iron/Mount Silcox Wilderness—Proposed", dated January 1991, which shall be known as the Cube Iron/Mount Silcox Wilderness;

(13) certain lands in the Kootenai and Lolo National Forests, Montana, which comprise approximately 17,900 acres, as generally depicted on a map entitled "Caterack Creek Wilderness—Proposed", dated January 1991, which shall be known as the Caterack Creek Wilderness;

(14) certain lands on the Lolo National Forest, Montana, which comprise approximately 94,700 acres, as generally depicted on a map entitled the Great Burn Wilderness—Proposed", dated January 1991, which shall be known as the Great Burn Wilderness;

(15) certain lands on the Lolo National Forest, Montana, which comprise approximately 30,400 acres, as generally depicted on a map entitled "Sheep Mountain Wilderness—Proposed", dated January 1991, which shall be known as the Sheep Mountain Wilderness;

(16) certain lands on the Lolo National Forest, Montana, which comprise approximately 60,100 acres, as generally depicted on a map entitled "Quigg Peak Wilderness—Proposed", dated January 1991, which shall be known as the Quigg Peak Wilderness;

(17) certain lands on the Lolo National Forest, Montana, which comprise approximately 3,700 acres, as generally depicted on a map entitled "Lolo Peak Wilderness—Proposed", dated January 1991, which shall be known as the Lolo Peak Wilderness;

(18) certain lands on the Lolo National Forest, Montana, which comprise approximately 31,000 acres, as generally depicted on a map entitled "Stony Mountain Wilderness—Proposed", dated January 1991, which shall be known as the Stony Mountain Wilderness;

(19) certain lands on the Lolo National Forest, Montana, which comprise approximately 68,600 acres, as generally depicted on a map entitled "Arnold Bolle

Additions to the Bob Marshall Wilderness—Proposed (Clearwater-Monture)", dated January 1991, which shall be known as the Arnold Bolle-Bob Marshall Wilderness Additions and are incorporated in and shall be deemed to be a part of the Bob Marshall Wilderness; and

(20) certain lands on the Lolo National Forest, Montana, which comprise approximately 9,000 acres, as generally depicted on a map entitled "Swan Front Additions to the Bob Marshall Wilderness—Proposed", dated January 1991, which are incorporated in and shall be deemed to be a part of the Bob Marshall Wilderness;

(b) MAPS AND LEGAL DESCRIPTIONS.—(1) The Secretary of Agriculture (hereinafter referred to as the "Secretary") shall file the maps referred to in subsection (a) and legal descriptions of each wilderness area designated by subsection (a) with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and legal description shall have the same force and effect as if included in this Act.

(2) The Secretary may correct clerical and typographical errors in the maps and legal descriptions submitted pursuant to paragraph (1).

(3) Each map and legal description referred to in paragraph (1) shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture, Washington, D.C. and at the office of the Region I Forester, Department of Agriculture, Missoula, Montana.

(4) The acreages cited in paragraph (1) are approximate and in the event of discrepancies between cited acreage and the lands depicted on the referenced maps, the maps shall control.

(c) ADMINISTRATION.—Subject to valid existing rights, each wilderness area designated by subsection (a) shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act (16 U.S.C. 1131 et seq.) governing areas designated by that Act as wilderness areas, except that, with respect to any area designated in subsection (a), any reference to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(d) WILDERNESS AREA PERIMETERS.—(1) Congress does not intend that the designation of a wilderness area in subsection (a) will lead to the creation of protective perimeters or buffer zones around the wilderness areas; or

(2) that non-wilderness activities or uses can be seen or heard from areas within a wilderness area shall not, of itself,

preclude such activities or uses up to the boundary of the wilderness area.

(e) GRAZING.—The grazing of livestock, where established prior to the date of enactment of this Act, in wilderness areas designated in subsection (a) shall be administered in accordance with section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)) and section 108 of the Act entitled "An Act to designate certain National Forest system lands in the States of Colorado, South Dakota, Missouri, South Carolina, and Louisiana for inclusion in the National Wilderness Preservation System, and for other purposes" (94 Stat. 3271; 16 U.S.C. 1133 note).

SEC. 4. WATER RIGHTS.

(a) FINDINGS.—The Congress finds that the waters within the wilderness areas designated by section 3(a) of this Act are headwaters, and accordingly, this act has no effect on the appropriation or adjudication of waters within the State of Montana.

(b) RULES OF CONSTRUCTION.—Nothing in this Act—

(1) is intended or shall be construed to affect downstream appropriation of water;

(2) is intended or shall be construed to affect water rights as provided under Montana State law; or

(3) is intended to affect the determination of expressed or implied reserved water rights as determined under other laws.

SEC. 5. STATE FISH AND WILDLIFE AUTHORITY.

In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Montana with respect to wildlife and fish in the national forests in Montana.

SEC. 6. RELEASE TO NONWILDERNESS USE.

(a) The Congress finds that—

(1) agreements have been forged by people who live and work in the counties of Northwest Montana to resolve the long-standing debate over wilderness and timber supply on the Kootenai and Lolo National Forests;

(2) mill workers, sportsmen, and conservationists have negotiated these agreements outside of and beyond the normal forest planning process and have by working together on issues of mutual interest and concern, presented their agreements directly to the Congress;

(3) that in reaching their agreement on the long-term uses of the Kootenai and Lolo National Forests, the parties were able to recommend wilderness protec-

tion for virtually every area proposed by local conservationists and yet provide a stable, long-term supply of timber for the local resource based industry; and

(4) the Congress has made its own examination of that agreement, its impacts on the forest planning process and the environmental impacts associated with such land allocations.

(b) On the basis of this agreement and its independent review, the Congress determines and directs that—

(1) without otherwise passing on the question of the legal and factual sufficiency of the Land and Resource Management Plans and their associated environmental impact statements for the Lolo and the Kootenai National Forests in the State of Montana completed prior to the enactment of this Act, prior to the revision of such Plans decisions to allocate roadless areas to wilderness or non-wilderness categories, and the environmental analyses directly related to such allocations, shall not be subject to judicial review: *Provided, however,* That, except for decisions allocating lands to wilderness and non-wilderness categories, nothing in this section shall preclude judicial review of Department of Agriculture decisions implementing such Plans or decisions made concerning the management of national forest lands subsequent to their allocation to

wilderness and non-wilderness categories: *Provided, further,* That, except for decisions allocating lands to wilderness and non-wilderness categories, nothing in this section shall preclude judicial review of Forest Service Regional Guides and other Departmental policies of general applicability, nor prevent a court from invalidating forest planning decisions which fail to comply with applicable law;

(2) the wilderness suitability review and evaluation of the Kootenai and Lolo National Forest System lands in the State of Montana conducted by the Department of Agriculture under Public Law 95–150, the unit plans that were in effect prior to completion of RARE II, and the Land and Resource Management Plans shall be deemed an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation system, and the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the Kootenai and Lolo Land and Resource Management Plans, but shall review the wilderness option when such plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless prior to that time the Secretary finds that conditions in a unit have significantly changed;

(3) those areas on the Kootenai and Lolo National Forests in the State of Montana referred to in paragraph (2) of this subsection which were not designated wilderness shall be managed for multiple use in accordance with land and resource management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act, and those areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial Land and Resource Management Plans; and

(4) if revised Land and Resource Management Plans for the Kootenai and Lolo National Forests in the State of Montana are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such Plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of

1974, as amended by the National Forest Management Act, and other applicable law.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act, as amended by the National Forest Management Act, the term "revision" shall not include an amendment to a land and resource managment plan.

(d) The provisions of this section shall also apply to those National Forest System roadless lands in the Kootenai and Lolo National Forests in the State of Montana which are less than five thousand acres in size.

(e) The provisions of this section reflect the unique circumstances of the Kootenai and Lolo National Forests and shall not apply to any other National Forest in the State of Montana or in any other State.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated—

(1) such sums as are necessary for the development of a wilderness education and ranger training complex at the Ninemile Ranger Station, Lolo National Forest, Montana; and

(2) such sums as are necessary to carry out this Act.

Senator BINGAMAN. Before proceeding, there are a few administrative matters that we need to discuss. Unfortunately, we are operating on a tight time schedule today. Because the Senate is in session this week, we need to return to Washington this evening and we need to conclude this hearing by 12 noon. The purpose of the hearing, obviously, is to take testimony; accordingly, that is what we will concentrate on here in this room.

We have three panels of witnesses to present testimony today. And so that all witnesses will have the same opportunity to present testimony, I have asked that each witness please limit his or her remarks to no more than 5 minutes and try to summarize the testimony. We would like to have time for questions from the Senators who are here, and if people would summarize their testimony, that will make that possible.

The statements will be included in the official hearing record. We will hear from all witnesses on a panel before we proceed to ask questions of any witness. The committee staff will collect and distribute your statements when you come up to the table.

The hearing record in this hearing will remain open for 2 weeks to receive additional statements. If anybody who is not a witness today would like to submit a statement for consideration by the subcommittee should send it to the Senate Committee on Energy and Natural Resources in Washington, D.C.

I am pleased to recognize the other Senators who are here with me today. Senator Baucus, who is the sponsor of S. 72. Senator, why don't you go ahead with your statement.

STATEMENT OF HON. MAX BAUCUS, U.S. SENATOR FROM MONTANA

Senator BAUCUS. Thank you very much, Mr. Chairman, and I welcome you to the Big Sky State and welcome to Montana. We are all pleased. I speak on behalf of all of us in our State, and Senator Burns, in welcoming you and Senator Craig to Montana.

I might mention to everyone here, in speaking with Senator Bingaman this morning, Senator Craig, they are marveling, as we all know, of the beauty of this area, particularly the Clark Fork and the valley. We are very happy, Senator, that you are able to enjoy some of Montana with all of us.

Also, we have welcomed the staff that is here. You have mentioned Erica Rosenberg and David Brooks. In addition, I would like to mention Jim O'Toole, who now will be deeply submerged into the Montana wilderness question, as are all the rest of us. I welcome all of you to Montana.

Mr. Chairman, today we are in the hometown of Montana's greatest statesman, Mike Mansfield, and as many in the audience know, Mike has always been a straight shooter. His honest, plainspoken approach has become a hallmark of his career. It is how we all know him.

Throughout his years of public service, Mike earned a reputation as one who knew how to bring people together. Mike's effectiveness as Senate Majority Leader stemmed in large part from the respect he showed his colleagues, Republicans and Democrats alike, liberals and conservatives alike. Through compromise, Mike went out of

his way to accommodate every U.S. Senator. Those of us who knew Mike Mansfield know that is the hallmark of Mike Mansfield.

As we begin today's hearing, let us borrow a few pages from the book of Mike Mansfield. Let us honor him. Let us spare the rhetoric, let us respect each others' opinions. With this in mind, I offer three ground rules to make this a productive hearing. A hearing that will, in fact, move us toward a final resolution of the wilderness issue.

No. 1, before announcing a position, think compromise. Is there a way to protect your essential interest, be it timber, recreation, mining, wildlife, watershed or scenery, while accommodating those with different points of view. In virtually every instance, the answer to this question is yes. There is plenty of room for compromise.

No. 2, avoid abstractions and rhetoric. Montanans' land use philosophies are about as diverse as our State's landscape. Some folks want every single remaining roadless acre designated wilderness. Others want all or virtually all of this land developed. By the time we settle this issue, I guarantee both of these camps will be disappointed.

However, if we approach this issue area by area, boundary by boundary without the rhetoric, without the abstractions, we can strike a balanced compromise by examining site specific resource values and conflicts as we draw sensible boundaries, boundaries that protect both jobs and the environment.

Finally, let us show some respect for each other as Montanans. Too much emotionalism and name-calling has accompanied this issue over the past decade. This hurts Montana. If we keep it up, Montana will increasingly meet a national reputation as a State that just cannot quite get its act together. And such a reputation will be bad for business, bad for tourism, and bad for our quality of life.

Of course, wilderness and release are emotional issues, of course they are, issues where reasonable people can reach different conclusions, but let us not lose sight of the bottom line. We are all passengers on board this great ship we call Montana. So with these ground rules in mind, let us roll up our sleeves, cast the rhetoric aside and work toward a balanced solution. Thank you very much, Mr. Chairman.

Senator BINGAMAN. Thank you very much. Now our other distinguished Senator from Montana, Senator Conrad Burns.

STATEMENT OF HON. CONRAD BURNS, U.S. SENATOR FROM MONTANA

Senator BURNS. Thank you, Mr. Chairman. I appreciate you being here. Thank you for coming to Montana and welcome and always welcome back and, of course, Senator Craig, your colleague from Idaho.

When I first went into the U.S. Senate, I found out one thing about our chairman today. That the first extracurricular activity you might call it from the regular committee work was, I was placed on the Evidentiary Committee of an impeachment, and Senator Bingaman was the chairman of that committee.

And for 18 days, we sat in one room and took testimony on a Federal judge, who was later impeached by the Senate from south Florida. If I noticed one thing about our chairman and a good westerner from New Mexico is his sense of fairness and fair play.

So, Jeff, we welcome you to Montana, and we are glad you are here and we want you to come back many times.

Senator Baucus, the senior Senator from Montana, we have tried many numerous ways to grapple with this situation of dealing with this wilderness issue here in the State. And, of course, Senator Baucus has been grappling with it much longer than I have. He has introduced this bill in an effort to resolve the question, and the members of the committee and myself want to ensure that the bill is fairly considered.

Senator Baucus did not write the Accords. He has simply put them before the Senate for their consideration. I am sure Senator Baucus introduced the bill in good faith thinking that it represented a starting point, if not a community consensus. But Senator Baucus also knows that from the very first announcement of the Kootenai-Lolo Accords, there was a cry that went up in the State of Montana that voiced concern about the process used to develop that.

To put it very plainly, too many people were left out of the process. People with legitimate interest in the outcome of the roadless land debate. When the Accords were first announced, and many times since then, I encouraged the framers of the Lolo Accords to let it bring everybody into the process. The framers have talked to many of these groups who have had concerns but these concerns, when getting back to our office anyway, saying that they were not necessarily addressed.

As a result, the bill before us today still does not come close to even a statewide or even a local consensus. With each passing week, more and more people are coming forward to express specific and general objections to the Accords.

I am hopeful that this hearing will allow those that were not a part of the process to voice their concerns. But hearing the concerns is not enough. We all have to make a good-faith effort to address the legitimate objections raised by those who had no say in the drafting.

So I have said many times that Montana's basic preference is a statewide bill, not a two-forest bill. We have 10 national forests in Montana with more than 6 million acres of roadless land tied up in this debate. Although I have said a partial approach may be the only way we get anything done, I do not believe separating up the individual forests is the best way to proceed. This approach will require at least one more bill and possibly as many as eight more and these bills are very time-consuming, create a tremendous amount of acrimony throughout the State.

I do not want to stand in the way of solving the problem if that is possible, but I strongly believe that we need to make every effort to deal with this issue on a statewide basis. That is what Senator Baucus and I were working on when the Accords were announced just a year ago and I would hope that maybe that option still might be pursued.

I am sure you are all aware that the bill contains roughly one-and-one-half times as much wilderness on the Lolo and three times as much on the Kootenai as was recommended by the U.S. Forest Service. From every wilderness poll I have seen published, and especially with the recent vote taken in Lincoln County, it appears that there is a fair amount of support in Montana for the numbers of acres of additional wilderness recommended by the Forest Service in their forest plan.

But there certainly does not appear to be a consensus or majority support for one and one-half or three times the wilderness that the Forest Service has recommended.

There are many issues that come into play in the wilderness discussions. Areas and boundaries, although very important, there are other issues at hand. Release language, water rights, access to snotell sites, protection of existing rights are important issues also to be resolved in order for any wilderness bill to gain approval.

I look forward to this hearing about each and every one of these issues today. I want to hear your concerns and I want to hear your suggestions for the way that we solve this dilemma that has faced our State for so long. But, please, be specific about the acres, boundaries, language that you want changed and the reason those changes are needed.

I fully agree with Senator Baucus. We need something that we can put our teeth into. My Senate colleagues have come a long way for this hearing, and I hope you will allow them the courtesy that Montana is known for.

Because of the limited time schedule and forced limited number of witnesses in the hearing, I strongly encourage everyone else with interest in this issue, to get their comments and written statements to the committee, and include them in the official record as this hearing. All the information will be taken back to Washington, D.C., and will help us make the final decision of a final bill.

I appreciate any help that you can give us in finding a solution to this wilderness bill, and again, I appreciate all of you, every one of you here, I appreciate your coming today.

Thank you, Mr. Chairman.

Senator BINGAMAN. Thank you very much.

We also have with us today Senator Larry Craig from the neighboring State of Idaho, who is a member of the full committee. We are very pleased to have him here.

STATEMENT OF HON. LARRY E. CRAIG, U.S. SENATOR FROM IDAHO

Senator CRAIG. Jeff, thank you; and on the part of Idahoans, we want to welcome you to this area of the West. As we had breakfast this morning and looked out at the Clark Fork, I said, "That is our water."

Senator BURNS. Not yet it is not.

Senator CRAIG. I made that comment because we are in an interesting relationship here in this part of Montana. It slopes west toward Idaho, and therefore, not only does the water flow toward Idaho, in some instances 50 percent of the timber flows into Idaho for milling purposes. That demonstrates that that political bounda-

ry which we call a State line does not necessarily divide us in a lot of our interests, nor does it divide ecosystems and a concern that we have as it relates to those.

If you look at this upright map, Jeff, you will see such areas as the Cabinets, Scotchman Peak. All of those that overlap into my State of Idaho. So that makes what Montanans do here and the activities they have very important to all of us in our State.

As I said, political boundaries do not divide us on so many of these issues. But political boundaries are important and I am certainly going to respect the efforts of the Senators from Montana as they try to work out what has always been a contentious issue and one which deserves to be settled.

Jeff, you are right. Idaho and Montana have not resolved the RARE II process. It is incumbent upon us that we get that accomplished as soon as we can, reflective of all of our needs, if possible, and I think that is possible.

I do not have a magic wand, but I do recognize that in our State we believe that a whole State solution is much better than a partial solution, because we do not get involved in trading one against the other. I think in the end if we can arrive at a whole bill, the wholistic approach is much better than a piecemeal, limb-by-limb approach as is being tried.

But I am here to listen and to understand a good deal more. But I think I recognize with my tenure in service in this region of the country that we overlap with a good deal of common interests, even though there is a line that sometimes is one of demarcation. Thank you very much, Jeff.

Senator BINGAMAN. Thank you very much. I will just comment, you say that this Clark Fork is your water. All over New Mexico we've got signs—you know we are up on the upper end of the Rio Grande. It says, "Flush twice; Texas needs the water." So the same issue repeats itself.

Why don't we go ahead with our first panel. If they would come forward. The witnesses are Gerry Slingsby, Gary Cremer, Smoke Elser, Tucker Hill, Dirk Ibsen and Dick Kulawinski. If they would all come forward, please.

Why don't we start with Gerry Slingsby, the president of the Lumber, Production and Industrial Workers, Local 3038 here in Missoula.

STATEMENT OF GERRY SLINGSBY, PRESIDENT, LUMBER, PRODUCTION AND INDUSTRIAL WORKERS LOCAL 3038, AFL-CIO, MISSOULA, MT

Mr. SLINGSBY. Mr. Chairman, for the record, my name is Gerry Slingsby, and I serve as president of Local 3038 of the Lumber, Production and Industrial Workers Union, AFL-CIO, located in Bonner, Montana. I am here today to testify in favor of S. 72, a proposal which proposes to resolve the wilderness debate on the Lolo and Kootenai National Forests in western Montana.

Mr. Chairman, I have submitted 10 copies of my full written statement which I will summarize. I request that my written statement appear in the record. When I am done with my statement, I will answer any questions. There may be questions about specific

areas included in this bill that I cannot answer. If so, I hope you will allow me to refer the questions to one of the several people in the audience who have very specific knowledge about specific areas.

Mr. Chairman, I am not here today to talk about road closures, wolf recovery, bison hunts, forest management practices or off-road vehicle use. I am here today to talk about the issue before you, wilderness.

We are here today not so much to offer support for a bill that would create additional wilderness in Montana, but for a bill that would open up additional forestlands to multiple use. A bill that could help us workers in the timber industry to keep our jobs. A bill that would provide that approximately 97 percent of the suitable timber on the Lolo and Kootenai National Forests would be opened up for potential timber harvest.

Mr. Chairman, we are tired of being a pawn in a war game waged over access to public lands that has been going on for more than a decade in our communities.

After more than 13 long years, the debate about the use of Federal public lands in Montana has torn apart our communities, our families, and our friends. For those reasons, in January of 1990, we made our first contact with members of the conservation movement here in Montana. Members of the executive board of our local union, and other Locals representing workers in the wood products industry, sat down at a table in the Missoula Union Hall and discussed the wilderness issue with conservation leaders from throughout the region.

Over the next several months, we met frequently, often several times each month, to discuss and negotiate over wilderness and release. We drew maps, shifted lines, and asked questions, lots of questions, about where the timber suitable for harvest was located, who owned the land, and how were other things like recreation, mining, hunting, fishing, wildlife management and a host of others going to be affected.

In the summer of 1990, we reached agreement with the conservationists. We call the agreements the Lolo and Kootenai Accords. The Accords reflected our mutual belief that Montanans working together could bring about a harmony that has eluded us for more than a decade.

We also realized in the summer of 1990 that our job was not done. We needed to seek the support and endorsement of others who could be affected by our efforts. We sought and obtained support from the largest timber company in the region, Champion International. We sought and obtained compromise with ASARCO, the largest mining operation on these forests. We sought and obtained support from a number of other organizations representing workers, recreationists and interested parties. We sought and obtained endorsements from politicians, city councils, county commissioners, and economic development proponents.

Everywhere we went, in spite of occasional criticisms about specifics contained in the Accords, people said, good for you, it is about time somebody did something positive to settle this issue. You see, people in Montana, particularly western Montana, are tired of hearing about the wilderness debate. It has become a perennial

issue for us. Usually it surfaces around election time. It seems that wilderness is often used as part of a great election campaign slogan. Phrases like, "You will all be out of a job if we pass any more wilderness in Montana," or, "The companies will all have to close down if those environmental extremists have their way." Most recently Montanans have been told that compromise is capitulation.

Well, Mr. Chairman, if that is true, then Montana timber workers are going to have to stand in the unemployment lines until one Montana Congressman truly understands the true meaning of compromise. We want to resolve the wilderness——

[Applause.]

Mr. SLINGSBY. We want to resolve——

Senator BINGAMAN. If we stop and applaued at every point, we are never going to get out of here. So I would urge you to withhold applause wherever possible. Please, go right ahead.

Mr. SLINGSBY. We want to resolve the wilderness war here in Montana. We want to make some final decisions about where our future in the wood products industry lies. We want to be able to plan our futures and we want an end to the not-so-great debate.

Your committee and Congress have an opportunity to help us. Senators, we are asking you to reject the extremism of both the far sides of this debate. We are asking you to look favorably and carefully at the proposal before you today. We have worked on this proposal for more than a year and a half and we encourage you to give it the consideration it deserves. That concludes my statement.

Now, let me submit some material to the subcommittee Mr. Chairman. I have got petitions of literally thousands of people in western Montana. I have got, again, almost thousands of letters in support of S. 72. Thank you.

[The prepared statement of Mr. Slingsby follows:]

PREPARED STATEMENT OF GERRY SLINGSBY, PRESIDENT, LUMBER, PRODUCTION AND INDUSTRIAL WORKERS LOCAL 3038 AFL-CIO, MISSOULA, MT

Mr. Chairman, for the record, my name is Gerry Slingsby, and I serve as President of Local 3038 of the Lumber, Production and Industrial Workers Union, AFL-CIO located in Bonner, Montana. I'm here today to testify in favor of S. 72, a proposal which propoces to resolve the wilderness debate on the Lolo and Kootenai National Forests of western Montana.

I want to thank Senator Baucus for introducing S. 72, and your committee for conducting a public hearing on the issue here in Missoula.

Mr. Chairman, I am not here today to talk about road closures, wolf recovery, bison hunts, forest management practices or off-road vehicle use. I am here today to talk about the issue before you—wilderness.

What, you might ask, would inspire a local union to testify at a public hearing in favor of a proposal which would create additional wilderness in Montana? In light of the highly-charged controversy currently raging in states further west of us, that's probably a fair question. But, Mr. Chairman, this is Montana, and we've got a proud history of trying to work out our differences internally, without the influence of what's going on elsewhere in the country.

We're here today not so much to offer support for a bill that would create additional wilderness in Montana, but for a bill that would open up additional forest lands to multiple use. A bill that could help us workers in the timber industry to keep our jobs. A bill that would provide that approximately 97% of the suitable timber on the Lolo and Kootenai National Forests would be opened up for potential timber harvest.

That, Mr. Chairman, perhaps helps to explain why we are here today in support of S. 72. That, and the fact that we're tired of being the pawn in a war game waged

over access to public lands that has been going on for more than a decade in our communities.

For more than thirteen long years, the debate about the use of Federal public lands in Montana has torn apart our communities, our families and our friends. Extreme elements from the environmental community and equally extreme elements from industry have used Montana for a battleground over wilderness . . . to be or not to be . . . always the question. And in the middle were our jobs, our lives and our communities.

As the war raged on, more and more private timber lands were being cut, more clearcuts appeared on the horizon, and fear about harvesting on the public lands grew. During this time more mills closed and more workers found themselves on unemployment lines. As the war continued, we found ourselves more polarized, with the bulk of our opinions being formed around what we read in the newspapers or heard on radio and saw on TV. And, as the war raged on, resolution seemed further and further away.

Finally, workers in Montana's unionized mills said enough! It was time for the war to end, time for reason to prevail, and time to let western Montanans get on with their lives. But the answer as to how to go about achieving resolution in the face of such diversity had eluded everyone for more than a decade. What could be done by us that hadn't been tried before was our first challenge.

In January of 1990, we made our first contact with members of the conservation movement here in Montana. Members of the executive board of our local union and other locals representing workers in the wood products industry sat down at a table in the Missoula union hall and discussed the wilderness issue with conservation leaders from throughout the region.

At first, we questioned ourselves about the wisdom of attempting such a task. Some of us wondered if our discussions would lead to anything but more fighting and squabbling. Others were thinking about throwing the first punch!

Well, Mr. Chairman, after about three hours of discussion, questions and answers, clarification and consternation, we discovered that not all conservationists in Montana wanted to lock up all of the public lands. In fact, we discovered that most seemed concerned about the future of the wood products industry in our area, and about the impact that losing that industry would have on our economy, our communities and their livelihoods. That's right, they were concerned that the loss of our timber based economy would threaten their jobs as well as ours.

It didn't seem possible that we were meeting with those same "extreme environmentalists" that had so often been cited in the press with wanting to take away our jobs. But, still we remained skeptical. For more than a decade we had been told that it was us-versus-them, and that there was no resolution short of all or nothing.

Over time our skepticism gave way to trust and to hard work. Over the next several months we met frequently, often several times each month, to discuss and negotiate over wilderness and release. We drew maps, shifted lines and asked questions . . . lots of questions . . . about where the timber suitable for harvest was located, who owned the land, how were other things like recreation, mining, hunting and fishing, wildlife management and a host of others going to be affected.

And in the summer of 1990, we reached agreement with the conservationists. We called the agreement the Lolo and Kootenai Accords.

The Accords referred to our mutual efforts to resolve the protracted wilderness debate on two of our state's most timber productive national forests, the Lolo and Kootenai National Forests.

The Accords referred to proposed wilderness boundaries for inclusion in a Federal Wilderness Bill.

The Accords referred to our mutual recognition of the importance of these Federal public lands to all of us.

The Accords referred to our understanding that Congress would have the right to make changes to our proposal.

The Accords referred to our agreement that we would continue to work together to help resolve future disputes arising over the use of lands released for multiple use.

And, without saying it, the Accords reflected our mutual belief that Montanans working together could bring about a harmony that had eluded us for more than a decade.

We also realized in the summer of 1990 that our job was not done. Now that we had reached an agreement acceptable to our respective groups, we needed to seek the support and endorsement of others who could be affected by our efforts.

We sought, and obtained, support from the largest timber company in the region, Champion International.

We sought, and obtained, support from ASARCO, the largest mining operation on these forests.

We sought, and obtained, support from a number of other organizations representing workers, recreationists and interested parties.

We sought, and succeeded, in resolving conflicts with developers, private land owners, speculators and others.

We sought, and obtained, endorsement from politicians, city councils, county commissioners and economic development proponents.

We sought, and obtained, signatures of support from thousands of Montanans.

We traveled to Helena, Lewistown, Great Falls, Polson, Kalispell, Libby, even as far away as Washington, D.C. to meet with interested organizations. Teams of conservationists and trade unionists presented the Accords to literally scores of groups, providing information, answering questions and seeking support.

Was it worth it? You Bet!

Everywhere we went, in spite of occasional criticisms about specifics contained in the Accords, people said "good for-you." It's about time somebody did something to settle this issue.

You see, people in Montana, particularly western Montana, are tired of hearing about the wilderness debate. It's become a perennial issue for us. Usually it surfaces around election time.

You will probably recall about how this issue was used to help defeat one of your former members, U.S. Senator John Melcher. That was quite a historic use of the wilderness debate because it was the first time in history that a U.S. President, then Ronald Reagan, vetoed a wilderness bill passed by Congress.

It seems that wilderness is often used as part of a great election campaign slogan . . . especially when you combine the term with the word "jobs". Phrases like "you'll all be out of a job if we pass any more wilderness in Montana." Or, "the companies will all have to close down if those environmental extremists have their way."

The most recent additions to the wilderness debate came from some absurd statements uttered by someone who must be a nut at a public forum in Libby not long ago. Some corporate-paid instigator who was being critical of the Accords said, and I quote, that the proposed Accords would lock up the land "for goddamn ever" and cause 30% unemployment in the timber community. "And along with that comes wife batterment, child molestation and all the rest of it . . ."

"Now I ask you, are those the words of a responsible man representing major corporations? Are those words intended to provoke a reasoned discussion about the issue? And would people, already fearing for their jobs, be inclined to separate the crap from the presentation? I think not and suggest that the people of Lincoln County were hoodwinked by a corporate goon who used his Doctorate in community organizing, his Masters in public speaking and his $6,000 per month salary to incite riot and discontent.

This man's activities, combined with a flood of anti-accords advertising on radio, newspaper and television, won the day in Lincoln county just as this same effort is used every election campaign across the county.

Now we get to today's hearing. Senator Baucus has introduced S. 72, a bill which would implement the Lolo and Kootenai Accords. He has done so at our urging and at the urging of thousands of Montanans.

We want to resolve the wilderness war here in western Montana. We want to make some final decisions about where our future in the woods products industry lies. We want to be able to plan our futures and our jobs accordingly and we want an end to the great debate!

Your committee and the Congress have an opportunity to help us.

You can reject the arguments of those who say we must have a statewide bill or nothing at all.

You can reject the arguments of those who say that wife battering and child molestation will occur if we adopt any more wilderness in our state.

You can reject the arguments of those who want to lock up all of our public lands, and take away our jobs.

You can reject the extremism of both of the far sides of this debate.

We're asking you to look favorably, and carefully, at the proposal before you today. We have worked on this proposal for more than a year and a half, and we encourage you to give it the consideration it deserves.

We believe that this proposal continues to represent the best resolution to the wilderness issue on these two National Forests.

We continue to strongly endorse the Accords and we ask that you give them your committee's stamp of approval.

Thank you very much.

Senator BINGAMAN. Thank you very much, and we will take all of that information you have back to the subcommittee.

Mr. Cremer, please proceed.

STATEMENT OF GARY N. CREMER, RESOURCE MANAGER, W-I FOREST PRODUCTS, THOMPSON FALLS, MT

Mr. CREMER. Thank you. My name is Gary Cremer. I am the resource manager with W-I Forest Products in Thompson Falls, Montana. Our company is highly dependent upon Federal timber to operate our mills. Three of our sawmills, those in Pullman, Idaho, Bonner's Ferry, Idaho, as well as our plant in Thompson Falls, Montana, are dependent upon log supplies from the Kootenai and Lolo National Forest, and will be impacted by S. 72, the Kootenai and Lolo Accords.

Our company is a major employer in these communities. We play a large part in their stability and well-being. The Accords spell double trouble for communities in western Montana by locking up too much land and delaying meaningful progress on the statewide wilderness bill. We are strongly opposed to S. 72.

The Kootenai and Lolo Accords, which are the basis of this legislation, have been highly touted as a compromise between the environmentalists and the working people of Montana, a real grassroots settlement of the wilderness debate, and finally, as a consensus of real Montanans.

I submit to you that nothing could be further from reality. The recent public ballot in Lincoln County overwhelmingly shows these Accords to be a biased proposal derived by a very small group of special interest people. These people work behind closed doors and strategically gain support of unknowledgeable union leaders to promote their desired interests.

Major players of longstanding credibility in the wilderness debate in Montana were deliberately excluded from the involvement in these Accords. As a company, we have been actively involved in negotiations about the wilderness debate in Montana for over 10 years, and yet, we were purposely excluded from this effort, as were many on both sides of this issue.

S. 72 is an ill-conceived piece of legislation which ignores a host of issues essential to solving the wilderness debate and the ultimate land-use allocation question in Montana. This legislation fails to recognize cumulative effects of other regional and local actions which will dramatically impact our State. The impacts of a proposed land exchange on the Kootenai National Forest, which will decrease a suitable timber base on this forest by over 8,000 acres, have been ignored.

The impacts of reduced motorized recreation opportunities on our economy have been ignored. The lockout of our mining industry from valuable deposits has been ignored. The effects of Spotted Owl set-asides, grizzly closures and other wildlife management decisions have been ignored. And the potential impacts of future wilderness settlement on adjoining forests have been ignored.

We need and support a statewide resolution on our wilderness debate. We need and support modified release language which ac-

complishes real release on not included lands and does not expire with every forest plan revision. We need and support short-term action that will streamline the Forest Service appeal process and expedite the salvage of dead and dying timber in Montana's forests, and we need and support long-term legislative direction to return balance to our forest planning process, such as was introduced last year in the National Forest Plan Implementation Act.

S. 72 meets none of these needs, and therefore, does not have our support. Vast acreages of suitable and tentatively suitable timberland needed to maintain a strong timber resource for long-term management and production are included in this bill. Large blocks of prime winter recreation areas are needlessly locked up by this bill; and senseless exclusion of numerous other land management activities and uses are fostered by this legislation. This bill includes such areas as Sheep Mountain, Galena Creek, Cataract Peak, McKay Creek, Roderick Mountain, and others which have not been a part of any previous statewide legislation. All of these are unacceptable to us.

Montana's forest industry, and our company specifically, have long been a strong advocate of balanced wilderness legislation, including effective release language. We remain committed to this end today. We have worked with our congressional delegation and in our local communities to achieve this and will continue to do so. We cannot and will not support this special interest, narrow in scope, piecemeal legislation being debated here today.

This Nation's natural resource-based industries are as vital to this country as ever before. The products we derive from and the enjoyment we receive from wise multiple use of our national forests are irreplaceable in today's world. Think about what you are locking up and why you are really doing it before you proceed down this path.

In conclusion, Luke, a first-grader, recently enjoyed his father, Perry, talking to his class about the connection between our way of life with the conversion of natural resources into thousands of products upon which we depend and often take for granted. When asked by a teacher what he learned, one of Luke's classmates responded, "I learned a lot of stuff comes from stuff that you do not think comes from stuff." Please consider where all our stuff really comes from and how valuable all that stuff really is. Thank you.

Senator BINGAMAN. Thank you very much.

The next witess is Smoke Elser. Smoke, why don't you go ahead.

STATEMENT OF ARNOLD D. "SMOKE" ELSER, MONTANA OUTFITTERS AND GUIDES ASSOCIATION, MISSOULA, MT

Mr. ELSER. Mr. Chairman, my name is Smoke Elser. I am the immediate past president of Montana Outfitters and Guides Association. Today I would like to read some of my testimony and then kind of talk to you directly man to man as most cowboys do in Montana.

Thank you very much for allowing me to testify on behalf of Montana's most precious resource, its land. No matter whether it is used for multiple use or recreation, its land is its most precious resource.

I would like to speak on behalf of two very different groups of Americans who are the very owners of our national forests and the wilderness resource that we are discussing today. I am sorry that neither of them have the opportunity to attend this hearing, but both have a direct stake in the outcome of your very important decision.

First, I would like to speak on behalf of the small businesses in Montana, the outfitting businesses, the family-owned businesses, the ones where the corporate office is usually in the spare bedroom or in the kitchen. These are small family-owned businesses that make their homes in small community towns throughout the State. The outfitting industry brings in roughly $115 million annually to this State. In direct dollars, about $85 million every year to this State, and these are family-owned operations. Ones where the kids go out and work and, sure, they hire. We hire roughly five people per outfitting operation. Wilderness is where we make our living, that is where we are dependent on those wilderness lands to make our living.

Each of these families contribute directly to the economics of their small communities, such as Darby, Seeley Lake, Lincoln. They bring in money at an unusual time of the year. They bring in money in the winter when our deposits come in. Because our family-owned businesses, its corporate headquarters is in the kitchen, we generally spend that money in our local communities at our local stores, so that money is brought in at a very critical time in Montana. Montana has tough winters and in those winters, we have a difficulty in making ends meet.

The lands that we are talking about are really lands that these people make their living in and they are located all over the State. Of course, we are dealing right now primarily with the Lolo and Kootenai National Forests. These lands mean jobs, and they mean jobs to the recreationists. They also mean jobs to the timber people and the mining people.

From the perspective of jobs, we talk about Cube Iron, Mount Silcox north of Thompson Falls, The Great Burn along the Idaho border, Ten Lakes, Thompson Seton in the Whitefish Range, Scotchman Peaks, Trout Creek, Cabinet Mountains. These are all mountains and places that we know and we know well. We walk these mountains, Rock Creek and, of course, down to Monture Creek and that is where I operate myself. We have operated in the Monture Creek Drainage over 30 years and have managed to support a family, graduate two children from college and make our entire living from their particular area.

This debate over wilderness has lasted a long time and it has involved politicians, it has involved all kinds of people in our communities, and these people all have a major interest in this area. So please have some compassion and think about what we are really doing here today. We are trying to set aside some lands for wilderness. We are also trying to set aside some lands for multiple use. We think those are important.

On behalf of another large segment of the American public, I am speaking about our guests, those people that travel from all over the world to come to Montana to see our, yes, our beauty. You looked at our beauty this morning, some of it. The water that flows

44-796 0 - 91 - 2

to Idaho, I guess I should say. But that is some of our beauty and that is some of the things that we are looking at. Those people have a dream, and when they come to Montana, they need to live that dream. These wilderness areas will allow those things to happen, and I think that is very important.

You know, we always talk about the future and we are always looking into the future, and it is kind of hard. I recently heard a speech given by Chief Lions, a chief of the Iroquois Indian Nation. His statement was, please look at least seven generations into the future.

I think that is what we need to do. If we eliminate our timber in 1 or 2 years or in 15 years or in 50 years, are we going to be able to replace that and continue to keep those jobs going for a long period of time? I do not think so.

Remember, when you take the egg out of the shell and you scramble it, you cannot unscramble it and put it back into the shell. I support S. 72, and I think this is a very important bill. The Montana outfitters and guides and most recreationists will support this bill. Thank you very much.

[The prepared statement of Mr. Elser follows:]

PREPARED STATEMENT OF ARNOLD D. "SMOKE" ELSER, MONTANA OUTFITTERS AND GUIDES ASSOCIATION, MISSOULA, MT

Thank you very much for allowing me to testify on behalf of one of Montana's most precious resources. I would like to speak on behalf of two very different groups of Americans who are the very owners of our national forests and the wilderness resource that we are discussing today. I am sorry that neither of them have the opportunity to attend this hearing, but both have a direct stake in the outcome of your very important decision and both deserve your consideration.

First, I would like to speak on behalf of the many small independent Montana businesses, most of them family owned. Almost all of them directly depend on wilderness and wild lands for their major family income. The outfitting and guiding business in Montana represents an income of one hundred and fifteen million dollars annually to the State and most of these businesses depend on our most precious resource—wilderness. Each one of these family businesses contribute directly to the economics of their community and the related businesses that support this recreational industry. Many of these outfitting businesses are vital to the small rural communities in that they bring in out of state money at a critical time of the year, during the winter when deposits are paid for summer and fall trips into many of Montana's wilderness and wild land areas. Almost all the income that these small businesses generate remains within these small communities or at least within the State of Montana. These wilderness areas and wild lands contribute directly to the economic wellbeing of rural Montana and Montana in general. To us, this is a job's issue. Some of the lands these small businesses depend on are in this bill. From our perspective our jobs and our businesses are at stake. Cube Iron, Mount Silcox, north of Thompson Falls, The Great Burn along the Idaho border, Ten Lakes and Thompson Seton in the Whitefish Range, Scotchman Peaks, Trout Creek, The Cabinet Mountains, Rock Creek and areas of Quigg Mountain and Stony Mountain, as well as the additions to the Bob Marshall, such as the area that I take guests into, Monture Creek, are very important to the outfitting and recreation industry in the State of Montana. This side of jobs and wilderness is most often overlooked in the heat of wilderness debate, ignored by some out of state corporations and overlooked completely by some politicians. However, when leaders in the outfitting industry sat down with sawmill workers and looked over the maps of these wild lands, drainage by drainage we both understood that our jobs and our very livelihoods were at stake and we agreed that these wild lands needed to be added to our wilderness system as well as other lands released for multiple use.

Second, I'd like to speak on behalf of one of the largest segments of the American public that have a major stake in the outcome of your decision. That is the thousands and thousands of visitors from all across this great Nation, and in fact, the world, who have no idea these areas are at risk today. All Americans are the

owners of these lands so I urge you to consider this vast group of the American public, including the future generations who have a right to these wild land resources. Many Americans live and are sustained on the dream of someday visiting our wilderness areas. On behalf of the Montana outfitters and guides, recreation related businesses and a vast segment of American public, our guests, I urge you to support S. 72.

Senator BINGAMAN. Thank you very much.

Next is Tucker Hill. Tucker, would you go right ahead?

STATEMENT OF TUCKER HILL, CHAMPION INTERNATIONAL CORP., MILLTOWN, MT

Mr. HILL. Mr. Chairman, Members of the Public Lands Subcommittee, and Senator Baucus, sponsor of S. 72. My name is Tucker Hill and I am submitting this statement on behalf of Champion International Corporation.

Champion owns a large plywood plant and stud mill east of Missoula at Bonner where we employ over 500 hourly workers. In Libby, Champion operates a large manufacturing facility which employs about 450 workers. An additional 750 people are employed by independent logging contractors and truckers delivering raw materials to those Libby and Bonner mills.

Champion has a genuine interest in how both the Kootenai and Lolo National Forests are managed. About half of the timber we need to supply the Bonner and Libby mills currently comes from Champion-owned lands. The other half we must purchase from other sources: Federal, State, tribal, and other private owners.

At about this time last year, Champion stated our support for passage of the Kootenai-Lolo Accords at informal Senate hearings in Missoula and Libby. I stated at that time that Champion would prefer a statewide wilderness bill that can pull enough people together to constitute a majority. Today, June 10, 1991, Champion still prefers a statewide wilderness bill but since none has been introduced and with no statewide bill in the offing, Champion supports the passage of S. 72 if it is amended. Today I will suggest a number of changes to proposed wilderness designation on the Kootenai National Forest.

Champion believes resolution of the Montana wilderness debate is important in order to stabilize timber harvest levels from public lands at reasonable levels. Obviously there is no certainty that the allowable sale quantity, ASQ, will be achieved if a wilderness bill is passed. What is clear is that 21 percent, 21 million board feet of the Lolo National Forest's ASQ, is scheduled to be harvested on roadless lands in the planning decade which began in 1986.

The Region 1 proposal this winter to split the ASQ between roaded and roadless lands will ensure that the Lolo National Forest will not harvest timber from roadless lands, and will not meet their ASQ. At the annual industry/Forest Service meeting, the Lolo National Forest management told the timber industry that their annual harvest target level for the next 5 years will be 50 million to 60 million board feet unless the roadless issue is resolved. This is down from an ASQ of 107 million board feet.

If Congress does not act to resolve the wilderness debate successfully, the future is clear: A stalemate with substantial declining timber harvests on every Montana National Forest will occur.

The situation on the Kootenai is very similar but the overall impact is less—1.6 percent of the Kootenai ASQ is in roadless, or 3.6 million board feet out of an ASQ of 227 million board feet. However, lawsuits and administrative appeals on the Kootenai have reduced their target levels to 175 million board feet or less, so a reduction of even 3.5 million board feet is looked upon with great concern.

Resolution of the Montana wilderness question may not restore timber harvests to forest plan levels, but we do see resolution as a positive step that will help. We support the release language included in S. 72, and we support the Lolo Accord without major changes.

The changes we suggest to the Kootenai alter several boundaries and eliminate three areas. We offer these changes to reduce the impact of wilderness designation on the supply of timber from the Kootenai National Forest during this planning cycle and in future forest management planned decades.

No. 1, remove acres of suitable and tentatively suitable timberlands from the areas that are detailed on the attached maps. Adjusting boundaries to delete suitable timber is extremely important given chronic log shortages throughout the Northwest. The only prudent course is to increase ASQ where we can.

No. 2, remove all 8,280 acres of private land within the proposed boundaries. Several hundred acres of Champion land are included in the proposed boundaries. We ask that the boundaries be redrawn to exclude Champion and other private landowners.

No. 3, delete Grizzly Peak, Roderick Mountain and Trout Creek. Grizzly Peak is a stand-alone area of 4,500 acres. The minimum size wilderness recommended by Federal law is 5,000 acres. Roderick Mountain and Trout Creek both take in large amounts of tentatively suitable and some suitable acres. Taken together, we estimate our recommended changes will reduce the size of the Kootenai Accord by about 110,000 acres.

In closing, Champion's focus is not so much on the wilderness designated, as the timber released. At the same time, we recognize that others may have been impacted by our support for the Accords. We realize many individuals and groups were not included in the discussions which led to the Accords. We did not participate in the Kootenai Accord until after the agreement was reached, which is why I am making these recommendations today.

The election at Libby on May 21 indicated what a majority of voters in Lincoln County wants and that view should be respected and used to frame the final Kootenai result where possible. It is our hope others who have not been included at this point will be.

Thank you for this opportunity to appear before a subcommittee of the U.S. Senate.

Senator BINGAMAN. Thank you very much for the testimony.

Next witness is Dirk Ibsen.

STATEMENT OF DIRK IBSEN, MISSOULA, MT

Mr. IBSEN. Mr. Chairman and Members of the committee, my name is Dirk Ibsen and I am speaking to you on behalf of the Missoula Snowgoers, the Five Valley 4x4 Club, the Grassroots for Mul-

tiple Use, the Montana Trail Vehicles Riders Association, the Montana Snowmobile Association, and the Montana 4x4 Association who locally and statewide represent snowmobilers, trail bike riders, three- and four-wheel RV users and 4x4 enthusiasts, as well as others who would be restricted from these areas by passage of S. 72. We have not had the opportunity previously to participate and we do appreciate being included at this point.

From estimates based upon the sales volume by local dealers, these recreational enthusiasts contribute over $100 million to western Montana's economy annually by purchasing snowmobiles, four-wheel drive units, trail bikes and ATV's. Additional economic contributions are generated with purchases of specialized clothing, safety equipment, repair parts, food and lodging, fuel and oil. Many of these riders come from beyond our borders to enjoy the unique recreational experience in the western portion of our wonderful State and have helped develop a strong Montana tourist industry.

From western Montana alone, 2,200 snowmobiles were registered last year. This group of enthusiasts cumulatively travel an estimated 200,000 recreational miles within the boundaries of the proposed wilderness under current consideration on the Lolo National Forest.

What constitutes a quality experience worth this kind of commitment in terms of time and dollars? It takes a space where a recreationist can ride 65 to 80 miles in a loop through varying terrain conditions for an average outing. Areas large enough to provide these experiences with hospitable enough terrain where access is not already restricted on the Lolo National Forest are severely limited. Cooperative area and road closures and trail restrictions between private landowners and the Forest Service, the BLM, the Montana Department of Fish, Wildlife and Parks, and the Department of State Lands already confine these users to fewer and fewer areas and trails.

Within the Lolo National Forest, U.S. Forest Service figures indicate that there are somewhere around 5,000 miles of trails and roads closed to motorized use. The Forest Service has indicated a general trend moving from less restricted to more restricted road and trail use and from fewer to more year-round restrictions.

In Region 1 of which Lolo National Forest is a part, this has taken place at an astounding rate of about 3,000 miles a year. This is to say that motorized recreationists have been restricted in use of roads and trails at a rate of nearly 10 percent a year. Vast areas once accessible are now completely unavailable for mechanical travel while, at the same time, motorized recreation accounts for a majority of the recreation visitor days logged into the Forest Service inventories.

Arguments about the wealth of riding opportunities left open to us by previous wilderness designations are based upon misrepresentations or misunderstanding of what off-highway vehicle recreation is all about. Off-highway vehicle recreation is primarily a backcountry activity dependent upon public land trail resources. By and large, the majority of trail inventory is located inside of existing wilderness areas or within the boundaries of the remaining roadless areas, such as those under consideration here today.

We believe there has been a tendency for the public to view the impacts of these land-use decisions as relatively singular events. The time is here to begin looking at the cumulative effect of numerous singular events and to recognize the overall impacts on the entire planning picture.

While there are justifiable reasons for closures and restrictions, such as cooperative game management practices, protection of water quality, facility and resource protection, every time there is a road or a trail restriction, the effect is to displace the users to an area less restrictive. Restrictions statistically shown as a road or trail closure have the effect of removing the entire area from the use by these recreationists.

The overall result is that we are being confined to smaller and fewer areas on which to seek out quality experience while the impact of our use on these areas intensifies.

The potential acceleration of impact due to S. 72's complete elimination of four or five of these limited areas is intolerable from the standpoint of reasonable off-highway vehicle management. Of the 6,217 miles of roads and trails in the Lolo National Forest inventory, only 5.5 percent are now designated for snowmobiles and even fewer for trail bikes and ATV's. Management of 4x4 opportunities is an even greater disaster.

Statistically, only about 40 square miles in the Lolo National Forest is designated for use of snowmobiles. This is slightly smaller in size than a piece of land 7 miles by 6 miles. By way of comparison, an estimated 100,000 user miles of snowmobiling takes place in the Great Burn area alone. In actuality, there is probably somewhat more rideable terrain. However, a key point to keep in mind is that snowmobile opportunities, trail bike opportunities, ATV and 4x4 opportunities are not interchangeable.

S. 72 would eliminate approximately 445 square miles of the Lolo National Forest from the current management base for all motorized recreation. The proposed wilderness designation disrupts the current pattern of recreation use on the majority of the Lolo-Kootenai roadless areas.

Do not mistake our position. We are willing to support a settlement based on statewide perspectives supported by agency recommendations which take into consideration our concerns and needs. However, S. 72 as drafted does not represent a consensus or a compromise and it does not recognize the economic contribution to western Montana of both local and out-of-State motorized recreation. We have made specific recommendations for the lands within the Lolo National Forest and they are included in the back of our presentation.

[The prepared statement of Mr. Ibsen follows:]

To the United States Senate Subcommittee on Public Lands, National Parks, and Forests.

Re: Hearing on S-72
June 10, 1991
Missoula, MT
Comments by Dirk Ibsen

9720 Keegan Gulch
Mslo, MT

Ladies and gentlemen and members of the committee:

My name is Dirk Ibsen and I am speaking to you on behalf of the Missoula Snowgoers, the Five Valley 4x4 Club, Grassroots for Multiple Use, the Montana Trail Vehicle Riders Assn., the Montana Snowmobile Assn., and the Montana 4x4 Assn., who locally and statewide, represent snowmobilers, trail bike riders, 3 and 4 wheel RV users and 4x4 enthusiasts as well as other users who would be restricted from these areas by passage of S-72.

From estimates based on the volume of local dealer sales, these recreational enthusiasts contribute over $100 million to western Montana's economy by purchasing snowmobiles, 4 wheel drive units, trail bikes, and ATVs. Additional economic contributions are generated with the purchases of specialized clothing, safety equipment, repair parts, food and lodging, and fuel and oil. Many riders come from beyond our borders to enjoy the unique recreational experiences in the western portion of our wonderful state and have helped develop a strong Montana tourist industry.

From the Missoula area alone, 2200 snowmobiles were registered last year.(1) This group of enthusiasts cumulatively travel an estimated 200,000 recreational miles within the boundaries of the proposed wilderness under current consideration on the Lolo National Forest.(2)

What constitutes a quality experience worth that commitment of time and dollars? It takes a space where they can ride 65 to 80 miles in a loop through varying terrain for an average outing.(3) Areas large enough to provide these experiences, with hospitable enough terrain, where access is not already restricted on the Lolo Forest are severely limited. Cooperative area and road closures and trail restrictions between private land owners, the Forest Service, the Bureau of Land Management, the Montana Department of Fish, Wildlife, and Parks, and the Department of State Lands already confine these users to fewer and fewer areas and trails.

---

1. Montana Department of Motor Vehicles, January 1991.

2. Recreation Visitor Day Estimates, Lolo Forest Plan, in combination with average mileage computations based on rider experience.

3. A Guide to Off-Road Construction, Joe Wernix, American Motorcyclist Association, 1984.

Within the Lolo National Forest, US Forest Service figures indicate that there are somewhere around 5000 miles of trails and roads closed to motorized use.(4) The Forest Service has indicated a general trend moving from less restricted to more restricted road and trail use, and from fewer to more year round restrictions. In Region One, of which Lolo NF is a part, this has taken place at an astounding rate of approximately 3,000 miles per year. This is to say that motorized recreationists have been restricted in use of roads and trails at a rate of nearly 10% per year. Vast areas once accessible are now completely unavailable to mechanized travel, while at the same time, motorized recreation accounts for the majority of "recreation visitor days" logged into Forest Service inventories and supported by Forest Plan documentation.

Arguments about the wealth of riding opportunities left open to us by previous wilderness designations are based on a misrepresentation of what off-highway vehicle recreation is all about. OHV recreation is primarily a backcountry activity dependent on public land trail resources. By and large, the majority of trail inventory is located inside of existing wilderness areas or within the boundaries of the remaining roadless areas such as those under consideration here today.(5) Although only a quarter of the National Forest trails are in designated wilderness and another quarter in proplsed wilderness, this does not mean that there are large blocks of trail country in the remaining 50%.(6) The 50% of trail mileage outside of designated or proposed wilderness is frequently in short unconnected, and uninteresting fragments.(7)

We believe there has been a tendency for the public to view the impacts of these land use decisions as relatively singular events. The time is here to begin looking at the cumulative effects of numerous singular events, and to recognize the overall impacts on the entire planning picture.

While there are justifiable reasons for closures and restrictions, such as cooperative game management practices, protection of water quality, facility and resource protection, every time there is a road or trail restriction, the effect is to displace a whole segment of the recreation spectrum. Restrictions statistically shown as a road or trail closure, have the effect of removing the entire area from use by these recreationists. The overall result is that we are being confined to smaller as well as fewer areas on which to seek out a quality experience, while the impact of our use on these remaining areas intensifies.

---

4. Lolo National forest Road/Trail Inventory Summary, FY 1990

5. WILD MONTANA, A Special Publication of the Montana Wilderness Association, October, 1988.

6. Ibid.

7. Ibid.

The acceleration of impact due to S-72's complete elimination of 4 or 5 of these limited areas is intolerable from the standpoint of reasonable off-highway vehicle management. Of the 6,217 miles of roads and trails in the Lolo NF inventory, only 5.5% are now designated for snowmobiles and even fewer for trail bikes and ATVs. Management of opportunities for conventional-sized 4 wheel drive vehicles is an even greater disaster. The proposed wilderness designation significantly disrupts the current pattern of recreation use on the majority of Lolo/Kootenai's roadless areas.

Statistically, only about 40 square miles of area in the Lolo NF are designated for use by snowmobiles. This is slightly smaller in size than a piece of land 6 miles by 7 miles. By way of comparison, an estimated 100,000 user miles of snowmobiling takes place in the Great Burn area alone. In actuality, there probably is somewhat more "rideable" terrain, however, a key point to keep in mind, is that snowmobile opportunities and trailbike-ATV and 4-wheel drive opportunities are not interchangeable. S-72 would eliminate approximately 445 square miles of Lolo NF land from the current management base for all motorized recreation.

Do not mistake our position. We are willing to support a settlement based on a statewide perspective supported by agency recommendations which take into consideration our concerns and needs. However, S-72 as drafted, does not represent a consensus or a compromise, nor does it recognize the economic contribution to western Montana of both local and out of state motorized recreation.

We urge you to defeat S-72.

Our specific recommendations regarding areas on the Lolo NF include:

Lolo portion of STONY MOUNTAIN roadless area:

NO WILDERNESS RECOMMENDED

The presence of an old dozer trail along the Sapphire Crest from the northern boundary of the roadless area to Eagle Point and then east for about one mile negates wilderness consideration for a combined Bitterroot/Lolo area wilderness designation. Forest Service land managers retain the flexibility to determine the type of vehicle that may use a particular trail in any roadless area. ATVs often lose out when trails are only wide enough for two-wheeled single track vehicles. Opportunities as presented here for ATVs are few and far between. We also ask you to consider the historic and current snowmobile and trailbike/ATV use as indicated by the enclosed maps. Access down slope to the east is limited to cable crossings or very limited late season crossing of Rock Creek at best, and therefore motorized use is not expected to impact the fishery resource, or detract from the enjoyment of those primarily

interested in the fishing experience. Water quality concerns can be easily and adequately mitigated by proper trail maintenance techniques.

QUIGG:

We support the recommendation of the Lolo National Forest, excluding the northeast portion of the roadless area along the Ranch Creek trail to Sandstone Ridge, and then southwest to the trailhead below Fisher Pt, utilizing these trails as boundaries. This delineation recognizes historic trailbike and ATV use, along with an opportunity for conventional 4x4 use along a portion of Sandstone Ridge and into Ramona Gulch. Although Ranch Creek Trail is not open at present, this would allow for future development of an extended loop for trailbike and possible snowmobile access. It recognizes past mineral exploration activity and some timber values to the east of Sandstone Ridge as well.

GREAT BURN:

Our concerns can be met by retaining access to the Stateline Trail in its entirety from Hoodoo Pass south to Rocky Point, and maintaining access east from Hoodoo Pass to Tucker Gulch, along the Lightning Peak Trail, and then south to St. Patrick Peak. The bulk of the riding opportunities occur on the Idaho side of the line, so maintaining an access corridor across the narrow neck to the Stateline Trail is essential. Access to Cache Creek and Irish Creek represent important opportunities as well. Much of the Great Burn area is currently closed to motorized use to permit a walk-in hunter opportunity. That same opportunity could be preserved by seasonal closures.

One of the main arguments used in securing the Rattlesnake wilderness, was the proximity of other lake areas, such as the Great Burn and Stony Mountain, accessible to trail bikes. Administrative closures, including those in the Great Burn, have drastically changed that management focus. Opening the Stateline Trail, and returning the northern trail system to the active list, would not seriously detract from the hunting opportunity focus now initiated in the area. Again, specific trails would be utilized as boundaries, and would remain open for OHV use. Seasonal trail closures are acceptable as long as due consideration is taken for motorized hunters. The trails leading away from Stateline Trail in the northern portion would probable see limited use due to topography, but do represent an excellent opportunity for advanced riders.

CUBE-IRON SILCOX AND SHEEP MOUNTAIN:

NO WILDERNESS.

With 12 trails, producing approximately 42 miles of opportunity,

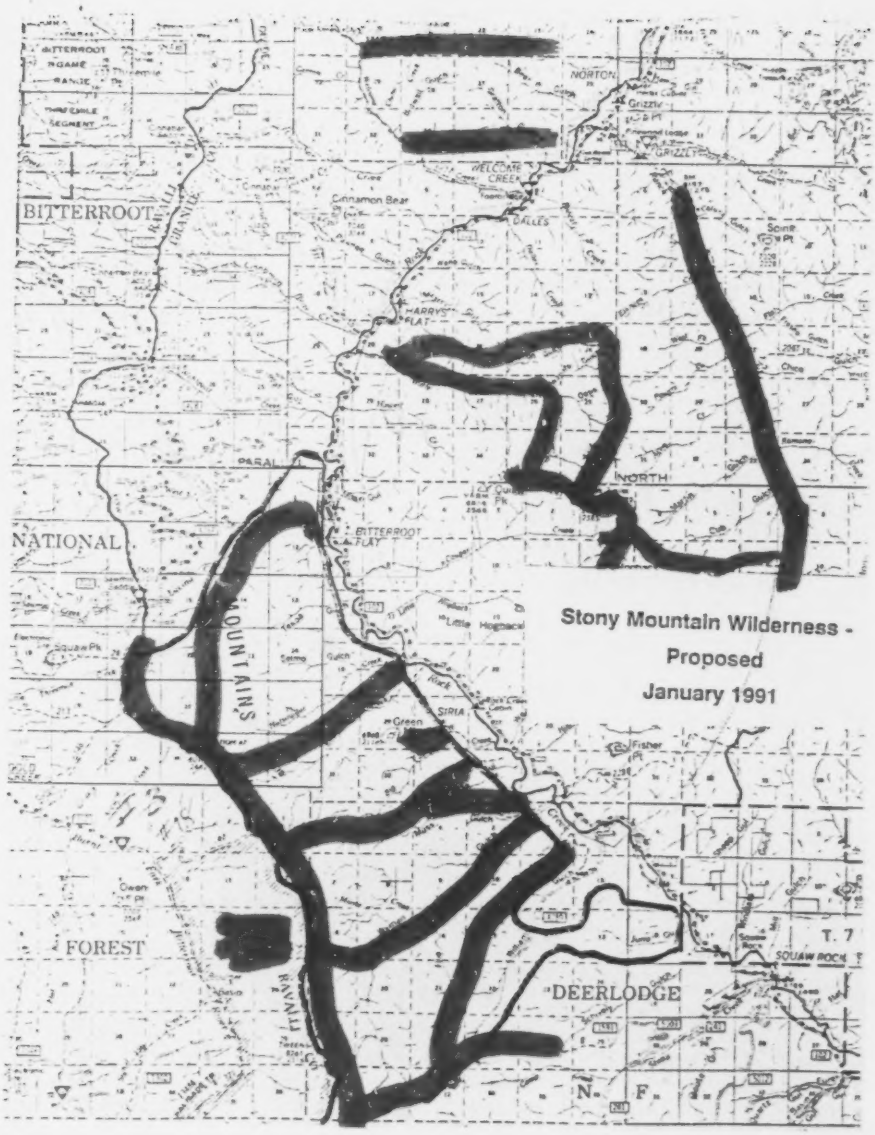
and 10 trails, with 40 miles of opportunity respectively, these two roadless areas should represent the optimal possibility for trail oriented motorized recreation with the least possible impact to other recreationists. The trail loops are of such a length and disposition as to offer a variety of route choices which decrease the frequency of contact with other users. However, on Cube-Iron Silcox, limiting access to protect and allow enhancement of a special wildlife resource makes sense, and we would build on the Forest Service's lead, insisting that any designation should not preclude motorized recreation, but should allow for restriction of any use, provided it is found unacceptable in a manner that can be verified and documented. With a management focus on wildlife, and the grizzly bear in particular, this would allow the Forest Service important management options which are not possible under wilderness classification.

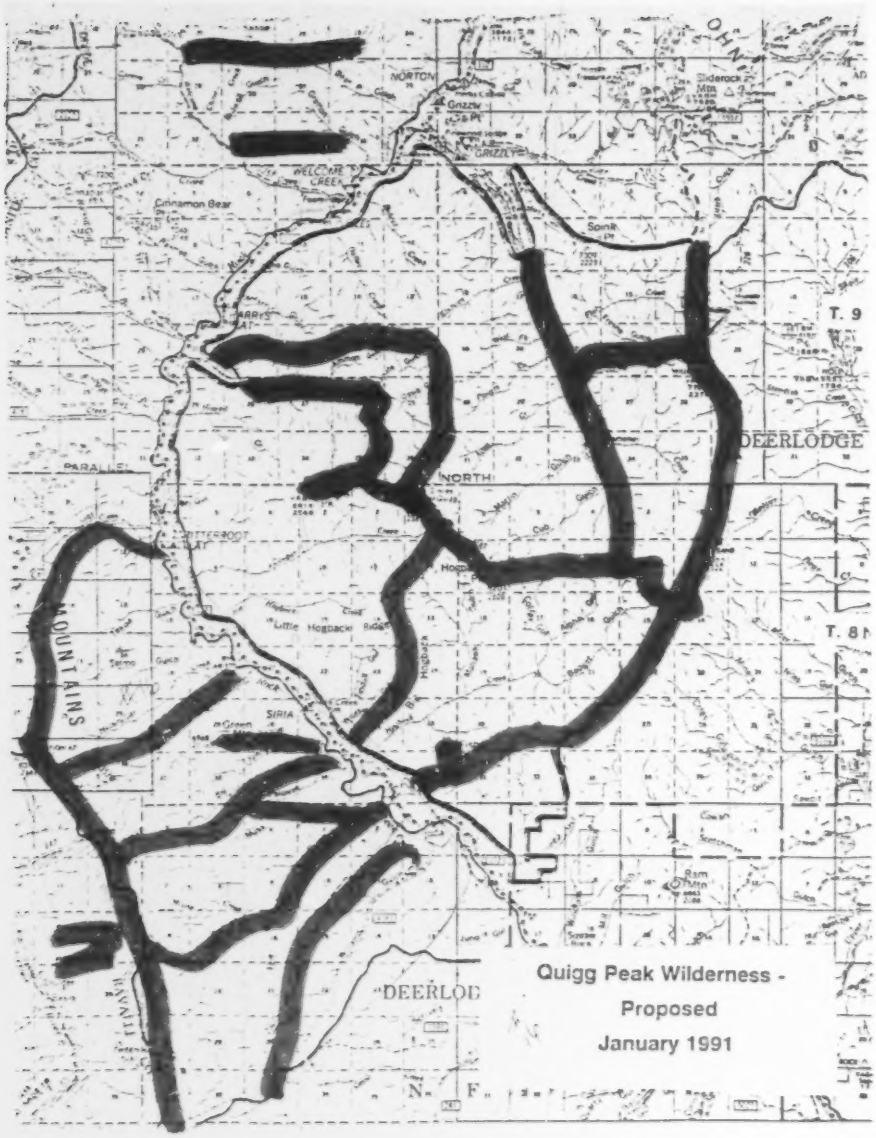
Considering its size and location, Sheep Mountain is of particular importance to motorized interests both in Montana and Idaho. According to the current travel plan (1987) both of these areas remain open to motorized use. If the conservation community sees no conflict with motorized use in their recommendation of the area as they indicated in their response to Senator Melcher's S-2790 in 1987, then our impact must be of no particular problem, and if agreement can be reached with the timber industry as indicated in these "accords," then there should be no reason our use cannot be maintained without harm to the wildlife resource.

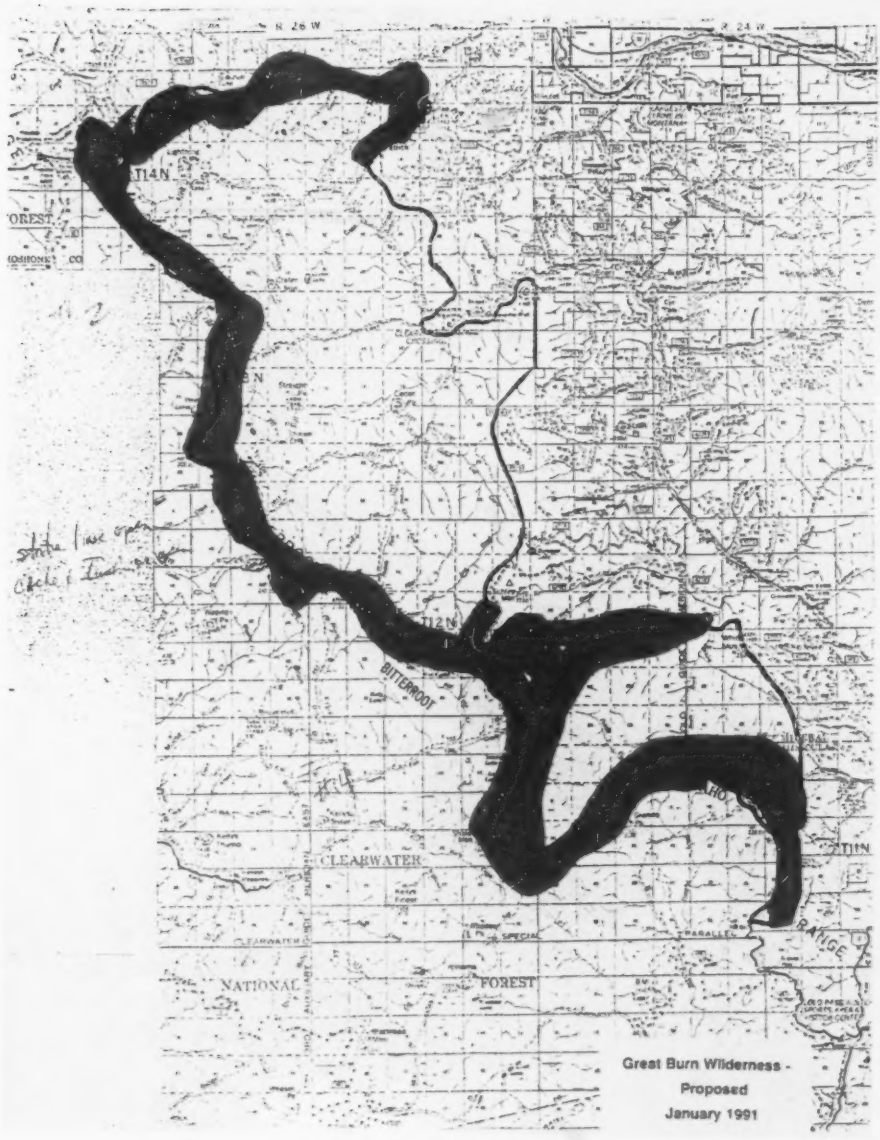
MONTURE CREEK:

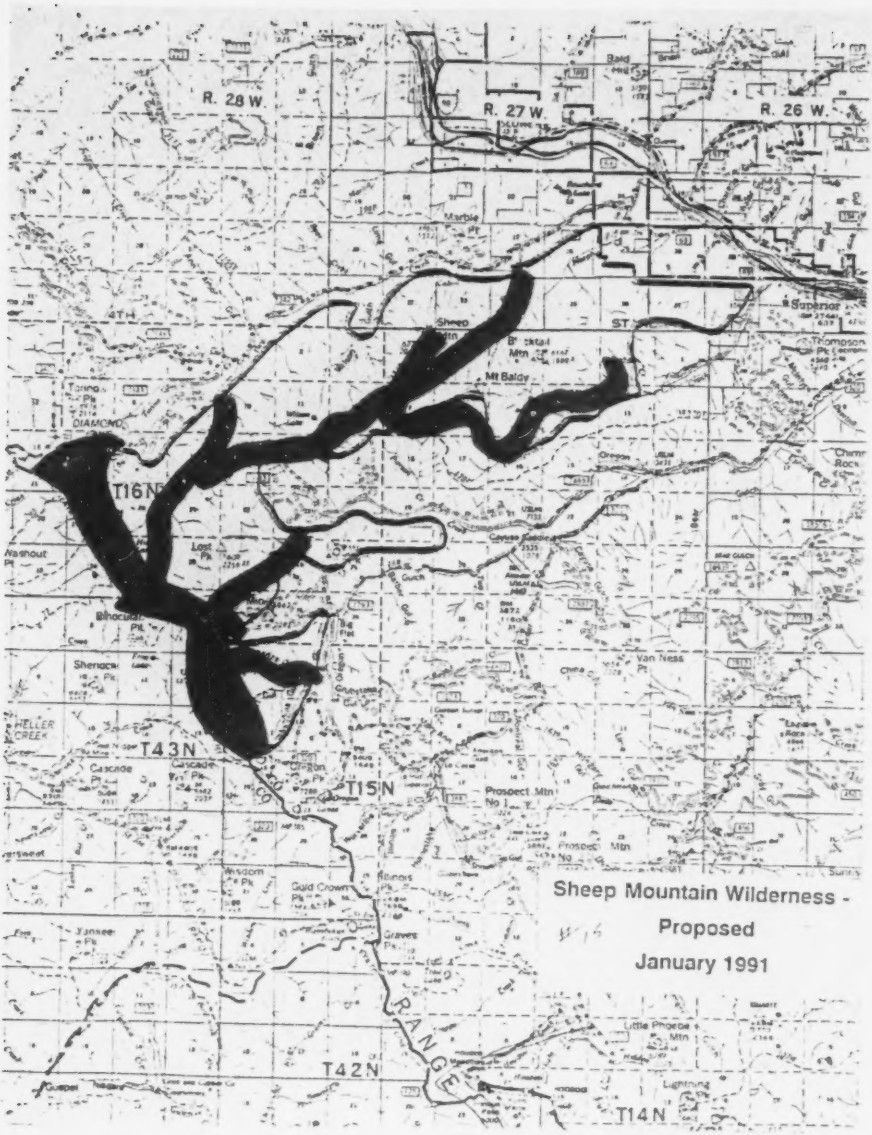
The Monture Creek addition adds little value to the existing wilderness, but subtracts drastically from existing opportunities for motorized use. Monture Creek is an area historically used by off highway interests that has been overlooked in Forest Service planning. We would recommend the Center Ridge Trail as a boundary, with everything south and west remaining open. A line from the junction of the Falls Creek Trail and the Monture Creek Trail north to Omar Mountain. would serve as the eastern boundary, ensuring a system of loop opportunities for motorized use while maintaining an exclusive entry portal to the already extensive Scapegoat/Bob Marshall complex. The Lake Otatsy cut-off is of particular interest, since it provides motorized recreationists with a rare opportunity to drive through and appreciate the magnitude of nature's recent fire-driven landscaping.

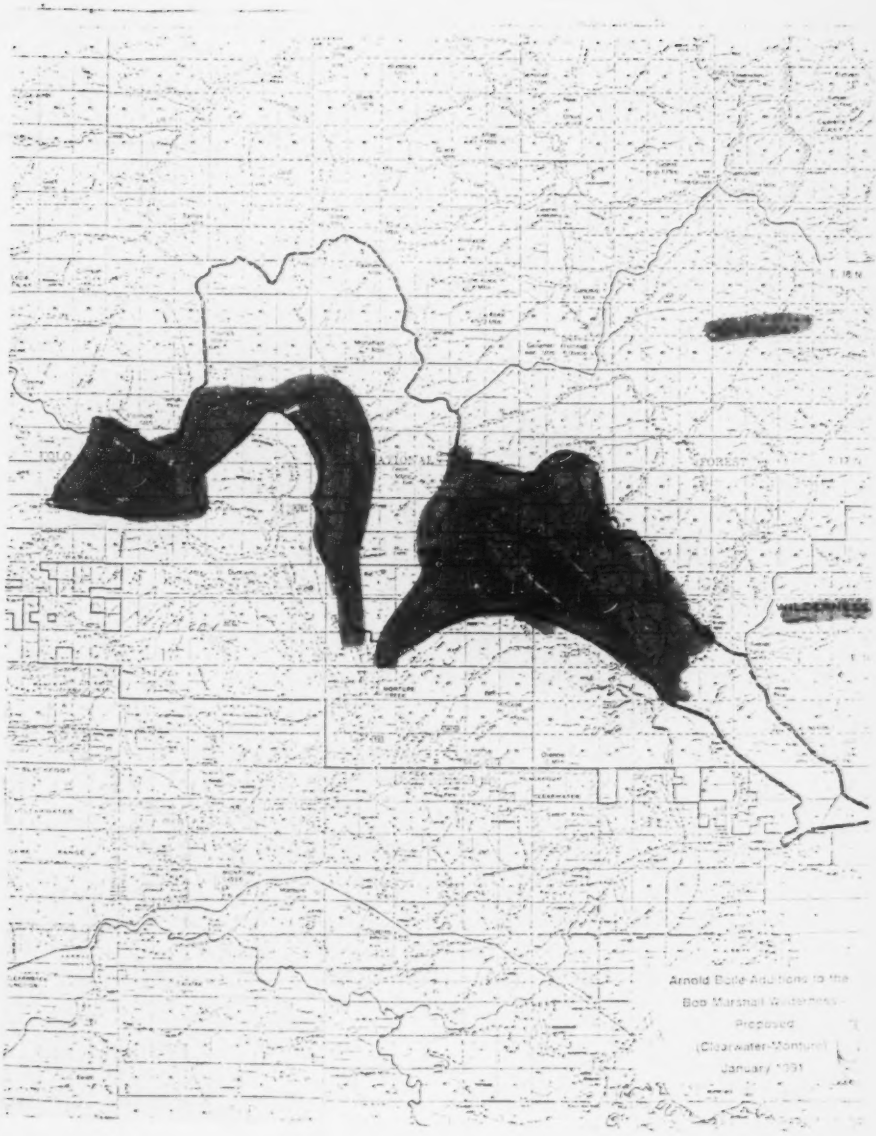
* If indeed, it is the intent of Congress that wilderness designation should not lead to the creation of protective perimeters or buffer zones, or that non-wilderness activities or uses which can be seen or heard from areas within a designated wilderness should not preclude such uses up to the boundary of the wilderness area, then please recognize that a number of our recommendations can be implemented to satisfy both our concerns and the needs of the preservationist community by utilizing trails open to OHV activities as boundaries.

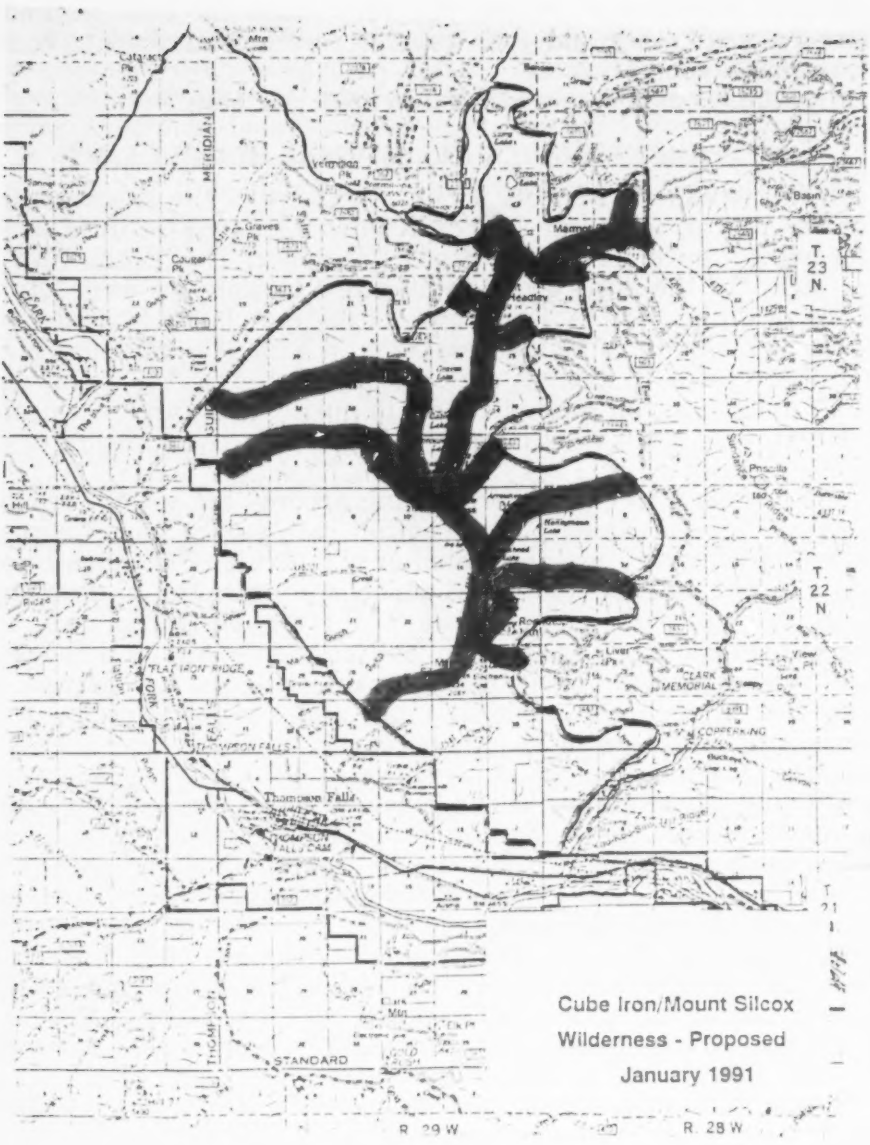

BITTERROOT
NATIONAL
FOREST
DEERLODGE
NORTH
Stony Mountain Wilderness -
Proposed
January 1991


NORTON
Grizzly Pk
GRIZZLY
Cinnamon Bear
Sawmill
T. 9
DEERLODGE
PARALLEL
NORTH
Little Hogback Ridge
T. 8
MOUNTAINS
SIRIA
Ram Mtn
DEERLOD
Quigg Peak Wilderness -
Proposed
January 1991


T14N
T12N
T11N
BITTERROOT
CLEARWATER
NATIONAL
FOREST
RANGE
Great Burn Wilderness -
Proposed
January 1991


R. 28 W.
R. 27 W.
R. 26 W.
T16N
T43N
T15N
T42N
T14N
Mt Baldy
Prospect Mtn
Sheep Mountain Wilderness -
Proposed
January 1991


Arnold Butte Additions to the
Bob Marshall Wilderness
Proposed
(Clearwater-Missoula)
January 1991


T. 23 N.
T. 22 N.
Thompson Falls
STANDARD
R. 29 W.
R. 28 W.
Cube Iron/Mount Silcox
Wilderness - Proposed
January 1991

Senator BINGAMAN. Thank you very much for that testimony. We have your maps and your detailed recommendations to consider, so thank you.

Mr. Kulawinski, we are pleased to have you here.

STATEMENT OF DICK KULAWINSKI, MISSOULA, MT

Mr. KULAWINSKI. Mr. Chairman, Members of the subcommittee: For the record, my name is Dick Kulawinski. I reside in Missoula, Montana. I am employed by Stone Container. This is the first opportunity for the mine group to be heard because we were left out in the original Accords. I also own 12 mining claims located in the proposed Great Burn Wilderness Area in both Montana and Idaho. I am here today to express my concerns regarding the inclusion of these claims plus all mining claims in a wilderness area. Also, adjacent to my claims is the Snowshoe Mine which has a history of producing Fluorspar.

I am opposed to the Lolo-Kootenai Accords for several reasons. First, the claims which I own contain rare earths and Fluorspar. These claims have been delineated over a period of 14 years by several different mining companies which are interested in developing them. Because these claims must be further delineated until it is determined that they are economically minable, a land withdrawal would preclude any future development once the ore deposit has been determined as minable. It takes many years to delineate an ore deposit to the point that it eventually will be developed. This includes all mines and potential mines.

Although these claims would be subject to valid existing rights, we all know that the wilderness designation is essentially a prohibition against mining. Valid existing rights will do no good when stipulations are placed on activities to the extent that they could not be economically developed.

Mine are not the only claims in the proposed wilderness area. There are many other miners who hold claims containing precious metal mineralization that are being or could be mined and could be further developed if given an opportunity within the framework of current laws protecting the environment.

Second, the rare earths underlying these claims are strategic minerals used in high tech industries. At this time, the United States is dependent upon foreign sources, most notably Malaysia, for these minerals.

For these reasons alone, these claims should be withdrawn from any wilderness consideration. But in a larger sense, this area does not even meet the criteria for wilderness as set forth by those who drafted the 1964 wilderness act. These claims are adjacent to an ore deposit that has been mined in the past. There are roads that have been bulldozed prior to the proposed wilderness area, thus subtracting from any wilderness quality in the purest sense. These roads have been used for many years for recreational purposes to provide access to at least two lakes in the area. Thus, creation of wilderness area would not only prevent access to these much needed mining claims but also deny motorized recreational opportunities to people in the area.

I do not believe that these so-called Accords enjoy the popular support that has been alleged by certain Members of Congress in the press. Not only were they turned down by overwhelming majority during a vote in Lincoln County, but in the Stone Container plant in Missoula where 650 persons are employed at the time of this writing, to my knowledge, approximately 5 percent have signed petitions in support of these Accords.

Although I personally believe that Montana has contributed its fair share to the Nation's wilderness system, I also concede that some further wilderness designations in Montana are inevitable. But these designations should not be made through the narrow view of the Lolo-Kootenai Accords, which were not agreed to by all of those who would be affected by wilderness designation, including the majority of Montanans who work in the mining industry.

A better way would be to develop a statewide wilderness bill that would include all those affected by wilderness designation and consider only those areas that meet the criteria set forth in the original wilderness act. Clearly, this so-called Accord does not meet this criteria.

Before closing, I want to add that prior testimony in previous hearings has been submitted on mining which can be looked up for exclusion from wilderness. Also, the U.S. Bureau of Mines' major study, mineralized areas that should also be excluded from wilderness.

Thank you, Mr. Chairman, for the opportunity to present my view of this very important matter.

Senator BINGAMAN. Thank you very much for that testimony.

We will go to questions now.

Senator Baucus.

Senator BAUCUS. Thank you, Mr. Chairman.

I will begin first with you, Gerry, since you were the first witness. I want to commend you for your efforts in trying a new approach; that is, trying to get as many people as possible together to help resolve this question. Certainly in northwestern Montana, it certainly is a major new initiative for mining interests—excuse me, miners were not involved in this to any great degree—to the workers, and workers in mills, for the environmentalists and others, to try to get together and as much as possible at least try to forge an agreement. I commend you for it. It is a very, very helpful movement forward. It was gutsy on your behalf, and I commend you for it.

Now, having said all that, a lot of people now say that not enough people were involved, not enough people were consulted. What do you say to all of that? Were you out of step with your rank and file membership as some claim? And were enough people consulted? And why were more people not consulted? If you could just basically answer that contention because it is a major contention that is in the air.

Mr. SLINGSBY. Senator, I guess my answer to that is—well, I guess I, first of all, would have to disagree that we had a closed process. It was anything but that. Virtually, we traveled the State from one end to the other telling people what we were doing in regards to the Accords. At every one of these meetings, we requested

from people that if you have input into the process, that our door is always open.

So I guess to the question that people have been left out of this process, I might say, yeah, there were people excluded, but we feel that those people basically were excluded because of their inability to compromise. If they did not have the ability to compromise, they did not show up at the table. There were occasions when those people did, in fact, show up at the table and it was the same old story. They were unwilling to compromise on what it was they were supporting.

In regards to myself and my organization, whether or not I actually have the support of the membership that I represent, I would like to submit to the subcommittee today, Senator, a petition with over 540 signatures. We ran this petition in less than 3 days in the Bonner mill. Right now, our numbers are down in the neighborhood of about 550 hourly employees. This petition contains over 540 signatures in support. So I would say that this petition, in itself, proves that I, in fact, do represent the overwhelming majority of the people within our local union.

Senator BAUCUS. Did you consult with some specific groups specifically? That is, the mining industry?

Mr. SLINGSBY. Yes, we did.

Senator BAUCUS. Recreational, snowmobilers, for example?

Mr. SLINGSBY. With respect to mining, I think we should take a look at what took place up at the Kootenai and the discussions that took place between the group of people that reached agreement on the Kootenai Accords and with ASARCO Mining. One request that we had of people that came before us with ideas and suggestions was that they be very specific. ASARCO came before the committee up there, came in with some real site specific items and the people were able to deal with it. So mining was involved in this. It would be unfair to say that our groups did not talk to the mining industry because, in fact, we did.

Senator BAUCUS. So you are saying then that you sat down at the table at least with ASARCO, and you are saying that because they wanted to sit down and attempt to negotiate, that is the reason——

Mr. SLINGSBY. I think that is a fair assessment.

Senator BAUCUS. Did you compromise? Did you change your boundaries as a result of consultation?

Mr. SLINGSBY. I believe we did up there. I am not up to speed completely on the negotiations up there. I am speaking in generalities. I would like to refer any specifics in regard to ASARCO negotiations to someone who was involved in the actual negotiations with the Kootenai Accord, which I was not.

Senator BAUCUS. I do not have a lot of time here. Gary, I guess it is helpful if we just get the facts out first and then we can deal with what we are talking about. Correct me if I am wrong, but it is my understanding that S. 72 would take about 2 to 3 percent of the suitable timber base in the two forests and put that into wilderness. That is, if you add the roadless and the roaded together in a suitable timber base which would then be available to all the mills in the State, that in S. 72, it is about 2 to 3 percent of the suitable timber base would be removed and put into the wilderness. Is that fact accurate as you understand it, or not?

Mr. CREMER. I guess if you want to speak in generalities, yes, that would be true. If you get down to specific areas, those 2 percent fall in basically two local working circles and they are concentrated there and that, in effect, translates to about a 10- or 15-percent drop in ASQ in those working circles.

Senator BAUCUS. With respect to the total forests, the Kootenai Forest and the Lolo Forest, S. 72 would place about 2 to 3 percent of the suitable timber off limits.

Mr. CREMER. But that does not speak to the tentatively suitable as well.

Senator BAUCUS. Another question I have. Does the passage of S. 72 help you or hurt you? Before you answer that question, let me just put some figures out, and you have certainly held to your opinion and you should state it very forcefully.

But as I understand it, about—I do not have exact figures here, but I think the total suitable timber in the area in consideration is about 373,000 acres. S. 72 would release about 320,000 acres back to the plans and about 43,000 acres would then be put into wilderness. Which is to say that if the status quo continues, that is, no bill, then approximately 373,000 acres of suitable timber would, for all intents and purposes, be off limits because Forest Service under *California* v. *Block,* and other decisions, would have to go through a full-blown EIS, and it is very, very—and can be a lot of appeals, lot of delays.

So for all intents and purposes, roughly that 370,000 would be off limits. On the other hand, if a bill were to be passed, even though about 43,000 acres would be put into wilderness, the remaining roughly 320,000 acres of suitable timber—my figures may not be exactly right but they are in the ballpark—would be released back to the plans and that would free up a sizable amount of suitable timber for your mill and for other mills.

So my question then is: Does the passage of the bill versus the nonpassage of a bill help you or hurt you?

Mr. CREMER. At this point in time with the current release language in S. 72, we do not believe it will be helpful because we really do not believe that it will release, quote, unquote, those lands that you say it will release.

Senator BAUCUS. Now, why is that now? Why will it not really release that acreage in your view?

Mr. CREMER. Similar release language in other bills in the past have shown us in lands in other States, that land has ended up not being released. It is still subject to appeal from all angles and it is not helped the timber situation at all.

Senator BAUCUS. Could you give us some examples? What other States.

Mr. CREMER. Oregon and Washington.

Senator BAUCUS. Were those appeals on the basis of wilderness suitability or were they appeals on the basis of other environmental statutes, for example, Endangered Species Act or the Clean Water Act, or et cetera?

Mr. CREMER. I cannot answer specifically; but I would say that regardless of what the appeal basis was, it still did not help our industry.

Senator BAUCUS. Is it your understanding that the so-called release language that is a part of all wilderness bills—I have forgotten the exact number in the past—What? It is 20 some bills in the past, for 20 different States, that in each of those cases for each of those States this has been standard so-called release language, that is, it virtually has not changed. Regardless of what State it is, it is the same for all intents and purposes for all States? Is that your understanding?

Mr. CREMER. That is my understanding at this point in time.

Senator BAUCUS. Well, if that is accurate—and I am just making the point that even reasonable minds have different opinions on release language—it is very, very difficult to pass a Montana wilderness bill which has release language which is significantly different from the release language of every other State wilderness bill that the Congress has enacted.

I think it is important for all of us to keep that in mind, because the more any group, whether it is environmentalists, one extreme, you know, who want a lot more wilderness or whether it is others who want, quote, so-called hard release language, that the consequence is going to be no bill. And I think it is probably true that the passage of a bill including standard release language is very helpful in relieving the timber supply problem in our State. That fact is the view of the Chief of the National Forest Service, it is the view of many Forest Service personnel. I have got lots of documentation of that. I have asked that question at open hearings; that is, will the passage of the bill with standard release language help or hurt the timber supply problem? And the answer I get from the Forest Service, anyway, and they are supposed to be the objective observers in all this, is that while not perfect, while not a total solution, still will very much help the timber supply problem in our State. What you are telling me, and you certainly have a different view, do you disagree with that view?

Mr. CREMER. I do, and I believe we in Montana do not feel we need to accept a release language that has been passed throughout the Nation, which has shown not to work.

Senator BAUCUS. Could you tell me the specific areas that you have the most difficulty with? Just very briefly. We do not have much time here.

Mr. CREMER. In my specific area, Trout Creek, Galena, McKay, Cataract and Cube Iron and Great Burn. Pretty good summary, huh?

Senator BAUCUS. All right. Now, in the spirit of compromise, you listed quite a few there. Which one or two do you just have to have, and which one or two do you just do not quite have to have quite so much?

Mr. CREMER. There are core areas in Trout Creek, in Cube Iron, and in the Great Burn which are—you know, we do not have a problem.

Senator BAUCUS. So you are open to some boundary changes in all these areas?

Mr. CREMER. Yes.

Senator BAUCUS. For example, Trout Creek, I know there is only a small section of suitable timber.

Mr. CREMER. Basically in the southeast corner there.

Senator BAUCUS. That is right, because the rest of Trout Creek does not have, according to the Forest Service, suitable timber in it. Okay, well, that helps.

Tucker, you basically said you support S. 72 in the main Lolo and also in the Kootenai so long as those changes are made.

Mr. HILL. That is correct, Senator.

Senator BAUCUS. You mentioned Grizzly Peak, Roderick, and Trout Creek. What about the question I just asked Gary? What about Trout Creek? What if that Southeast section——

Mr. HILL. We are still amenable to some changes. What we are basing it on, Senator, is the maps that are accompanying my testimony. If you look at that, there are slash marks that go both northwest to southeast and the other direction. Those that go northeast do have suitable timber and those have higher priority with us than tentatively suitable which go the other direction.

But if the Senate goes to mark up on these bills, we would ask that you look at those and let those guide some of the boundary changes.

Senator BAUCUS. Dirk, you mentioned Quigg Peak, for example. As you know, boundaries of Quigg Peak in S. 72 is the same as the Forest Service recommendation, as the Forest Service recommended the same area be put into wilderness as is the boundary in S. 72. Some suggest modifying that to exclude the area east of Ranch Creek.

So my question to you is: If that portion, the Ranch Creek portion were changed, would Quigg Peak as wilderness be acceptable to you?

Mr. IBSEN. Senator Baucus, like I stated earlier, we would support an overall statewide bill rather than piecemeal picking these apart.

Senator BAUCUS. I know you would. I want to get down to specifics. Whether it is statewide or region specific, we are still going to have to get down to boundaries. I am talking about Quigg Peak now.

Mr. IBSEN. My position is I am representing—I am trying to give you information based upon the people that have been left out of the process rather than try to present you with an individual piecemeal package. That is all I am doing is just giving you information today.

Senator BAUCUS. I see, so you do not have a view on the Quigg Peak?

Mr. IBSEN. Yes, we have a view and some recommendations that were in the pamphlet there.

Senator BAUCUS. Okay, thank you.

Now, finally, Dick, mining. Just a couple of questions about Great Burn. As you know, Great Burn is also recommended as wilderness by the Forest Service.

I wonder if I could ask. Is there someone here from the Lolo?

Mr. MICHAEL. Yes.

Senator BAUCUS. Why do you not state your full name, Bob, and just indicate to us, if you could, the mining considerations that went into your conclusion to recommend The Great Burn be wilderness. To what degree did you accommodate the mining claims and how can mining claims that exist be protected in the area?

Mr. MICHAEL. Okay, I am Bob Michael—Can you hear me?

Senator BAUCUS. Yes.

Mr. MICHAEL. I'm from the Lolo.

Senator BAUCUS. You have got to speak up real loud, though, Bob.

Mr. MICHAEL. I am from the Lolo Forest, and yes, we, in the Lolo Forest boundary, the one that we recommended in our forest plan, gave considerations to several mining claims in the Schley Peak area. Now, I believe the Accords may have included those mining claims, so there is a slight difference in the boundary.

Senator BAUCUS. But apart from that, with respect to the Forest Service recommendation.

Mr. MICHAEL. As to what? Our recommendation did not include most of the mining claims. Some of them but not all of them.

Senator BAUCUS. But my question, though, is: With the Forest Service wilderness designation, to what degree did you consider existing mining claims? Are there any existing mining claims within the Forest Service boundary?

Mr. MICHAEL. There were some, yes. I believe they were abandoned. But the existing ones with respect to the Forest Service were left out of or were not included in the boundary.

Senator BAUCUS. Are there existing mining claims in the Forest Service-recommended boundary?

Mr. KULAWINSKI. Yes, there is in Irish Basin; and I believe the claims that he is talking about that is left in the Great Burn is where there is an existing Fluorspar mine which has rare earths, and that goes all the way to the Idaho border. And all it amounts to is just one narrow strip from Schley Mountain all the way to the Idaho border.

The last map that I saw on these wilderness drawings, it also had left out the mining operation that has been for many years. The last time I saw, and I feel that all the mining claims in the Great Burn should be left out, not only in the Irish Basin and the Cedar Log Lake, but also on the northwestern corner up the Quartz Creek. There are many claims up in that area.

Senator BAUCUS. Okay, again, we do not have a lot of time here. If I could ask, how would Dick's or other mining claims in the wilderness area be protected? That is, often people from the mining industry are concerned that even though theoretically their claims are protected, in practice, it is very, very difficult to work them. So what accommodations did the Forest Service in fact, as opposed to theory, make to existing mining claims in the wilderness?

Mr. MICHAEL. Existing mining claims in wilderness are allowed to be worked in the current wilderness. Now, under these bills, there would be provisions for mining. But, of course, under certain restricted conditions, I believe.

Senator BAUCUS. Now, again, we do not have time here, but what are the restrictions?

Mr. MICHAEL. We usually do not allow road access.

Senator BAUCUS. So whether a claim is patented—I thought the law allows roads to——

Mr. MICHAEL. I am sorry, it does. Various considerations and it is very difficult to explain those unless you take a specific patented claim and see how to access it.

Senator BAUCUS. I think in all fairness to those who have claims, it is helpful if we could get a definite, precise understanding as to the degree to which—first of all, what the restrictions are; and second, find out whether as a practical matter make it possible to work out a theoretical right.

Anyway, we do not have a lot of time here. I thank you, Mr. Chairman.

Senator BINGAMAN. Senator Burns.

Senator BURNS. Just a few questions here, and we will move right on because this panel probably thinks they have come up here long enough to vote already.

Gerry Slingsby, would you support the U.S. Forest Service recommendations on a statewide bill? Would you agree to support that?

Mr. SLINGSBY. I think—in respect to the Lolo and the Kootenai?

Senator BURNS. Yes.

Mr. SLINGSBY. I think right now with as much negotiation and as much compromise that has been put into the Lolo, and I am speaking specifically to the Lolo, I think that I would support what we agreed to in the Accords.

I cannot speak to what took place up on the Kootenai because I was not involved in the actual negotiations, but I do understand our people up there have taken a look at that local up there that they held and are going back and they are reconsidering some of the things that they looked at. I guess my answer would be no.

Senator BURNS. Well, basically, if we rolled everything—if you rolled everything into the statewide bill——

Mr. SLINGSBY. Yeah, Senator, we are totally in favor of a statewide bill, do not get me wrong. If we can reach a statewide consensus on this situation, that would probably be the ultimate.

Senator BURNS. Gary, I guess, how much of your cut, your production up there, comes off public lands, and do you own any private timberlands yourself?

Mr. CREMER. Yes, we do own private timberland of our own, about 12,000 acres in our specific area. As far as the amount of cut that comes off of Federal land, about 80 percent.

Senator BURNS. Eighty percent off of public lands.

Mr. CREMER. Yes.

Senator BURNS. Okay, now, you referred to some specific areas that you believe should be deleted from the bill. Senator Baucus kind of covered that, too.

Could you give us some kind of an idea of the maps that you would have and submit it to the committee for consideration? And it would sure help us whenever we get down to the short rows on this.

Mr. CREMER. Yes, we could.

Senator BURNS. Also, I would ask, Dick, if we might get a similar list on mining claims in those areas of concern that you might have.

Mr. KULAWINSKI. Yes, I would be willing to submit more on these claims, and even maps.

Senator BURNS. Dirk, now, you are pretty specific in your presentation on the Lolo. Could you also supply us with—maybe working with your groups up in the Kootenai up there, could you supply us with some areas of your concerns here?

Mr. IBSEN. Yes, we will. I think there is more information coming today to you on that area already.

Senator BURNS. Okay, and Tucker, thank you. You were pretty specific in your recommendations and I appreciate that. Now, you said that you wanted to amend out about 110,000 acres up there in the Kootenai, and you said that you can support the Accords if amended. I assume that means that you cannot support the Accords if they are not amended. Would that be a correct assumption?

Mr. HILL. Our support is based on the amendments, Senator. We recognize that if the Senate gets to a markup, there could be additional changes; and if there are additional changes, we would like to look at those and we would be happy to present an opinion at that time.

Senator BURNS. You only represent one unit up there that is in the timbering business, and I would imagine there are folks up there that also have some concerns just, other than Champion, as far as overall ability to log. Is that a fair assumption?

Mr. HILL. If I understand you right. We are the only timber company that I think is supporting it. There are others that are not. That is the way I understand the situation this morning.

Senator BURNS. Okay, thank you very much. Thank you very much, Mr. Chairman.

Senator BINGAMAN. Thank you very much.

Senator Craig.

Senator CRAIG. Mr. Chairman, thank you. I have been watching very closely the ASQ in Region 1 and where we are at this time as relates to the forest plans and the inability of the Forest Service to meet their own targets. In fact, we are in a phenomenally timber-deficit situation at this moment and there appears to be little or no light at the end of the tunnel.

I have had some extensive conversation with the Forest Service, and I do continue to hear from them, that if we could simply solve the RARE II roadless issue, that that would resolve a problem, even though I say, in my opinion, it appears that the track record does not support that assumption.

But, yet, I have heard from several of you today that you believe that if we could resolve this roadless issue in Montana, we could get on with the business of logging and a variety of the other activities on the forest.

Gary, in your deliberations and the negotiations that went on—excuse me, Gerry—was that a part of the discussions in looking at S. 72? Looking at the release language, was there any discussion about commitment beyond the process as it relates to access?

Mr. SLINGSBY. Yes, there was, Senator. We feel that the relationships that we built with the conservation community in regards to the Accords is just the start. We have agreed in the text of the agreement that we would continue discussions with the conservation community and hopefully try to find some answers to some of the other questions that currently plague the timber industry, such as the Endangered Species Act, roads, and things of those nature.

So we feel that these agreements are just the tip of the iceberg in creating a relationship in which compromise hopefully is going to prevail.

Senator CRAIG. Was there any agreement in the discussion periods that the local environmental groups involved would be willing to carry these issues forward to the national level and argue or lobby or cajole their national counterparts toward general acceptance of the Accords or agreements that were struck here in Montana?

Mr. SLINGSBY. I would like to defer that question to somebody from the conservation community.

Senator CRAIG. I will ask that question of the next panel then.

The reason I ask those kind of questions, Mr. Chairman, Idaho is attempting a negotiated process at this moment that we were hoping would be successful, but I also recognize the inability of the Forest Service or apparent inability to operate at this moment, and I am very concerned about their inability to reach targets that were supposed to be accurate and adequate within the forest plans. That resolution, as much as the one that we are dealing with today, are fundamental to the well-being of this region of the country. I have no further questions. Thank you.

Senator BAUCUS. Senator Bingaman stepped off for just a minute. He will be right back. Conrad, do you have some questions?

Senator BURNS. Smoke, thank you, and I appreciate your words this morning. I guess I would ask you the same questions. Could you support the Forest Service statewide approach and their recommendations for designated wilderness and also recreation areas and animal habitat, and we realize that the animal habitat that we think is pretty precious around here. With those recommendations, could you support that?

Mr. ELSER. On the Lolo, we probably could. The recreation community, I believe, supports the Lolo-Kootenai Accords, period. That is where we stand right now.

Senator BURNS. Thank you, Mr. Chairman.

Senator BINGAMAN. Let me ask one additional question. Mr. Hill, you said in your testimony here that the Region 1 proposal that wanted to split the ASQ between roaded and roadless lands ensures that the Lolo National Forest will not harvest timber from roadless lands and will not meet its ASQ. I think the estimate you gave is about half as many million board feet as will be available unless this roadless issue is resolved.

You believe that passage of this wilderness bill will, in fact, free up that additional timber for sale?

Mr. HILL. We believe that it will free up some of it. I do not think anyone that is watching the process believes that if a wilderness bill is passed, in the case of the Lolo, it will go from 60 to 170. But in that range somewhere we think there will be an increase and that increase is important to maintenance of some security in the business.

Senator BINGAMAN. So you differ from Gary in his testimony in that respect?

Mr. HILL. Yes, I do, sir.

Senator BINGAMAN. Any other questions?

Senator BAUCUS. Yes, this is an important point. Thank you, Mr. Chairman. I guess the question is, you know, generally how much, for all intents and purposes, additional timber would be freed up if

the wilderness bill passed with standard release language? I understand the theoretical problems. They are not only theoretical, they are actual, because appeals can be filed on the basis of other than wilderness suitability and I understand that, that is a valid point.

But if you look at all of the States that have passed wilderness bills, I am just wondering how many appeals or suits have been filed in those States where timber sales or forest plans and/or timber sales have been significantly held up. I am trying to get at, roughly, what is that figure between one extreme or the other as to how much more timber as a practical matter on a historical basis has been freed up. Can anyone answer that question? Tucker, do you have any idea?

Mr. HILL. Senator, I do not know.

Senator BAUCUS. Do you have any rough gut feeling?

Mr. HILL. I guess I am basing this on what the Lolo Forest is telling us. They say if the wilderness bill is involved, they can increase their ASQ. Maybe they are not telling us the truth, but we believe them.

Senator BAUCUS. I think, frankly, there is something to be said for that insofar as, once, you know, various groups in the State and the Congress decide which roadless acreage is wilderness and which is not, but once the decision is made as to which is wilderness, generally that also tends to resolve a lot of the other environmental questions, namely, Endangered Species Act, Clean Water Act, National Environmental Policy Act—all the other management acts—because there is some parallelism here, and for all intents and purposes, probably the passage of a wilderness bill which includes standard release language will minimize and prevent a lot of appeals that otherwise would have occurred. Not all, but a lot. It is a question of degree.

Frankly, in my opinion, because our timber supply is so short in western Montana, that a matter of degree is helpful. It is more helpful than the other alternative which is zero. Thank you.

Senator BINGAMAN. Are there any other comments or questions by Senators? If not, thank you all. We appreciate the testimony very much.

We would ask that panel number two come to the table. David Erickson, Mark Svoboda, John Balla, Jerry Okonski, and Mike Bader.

Why don't we begin with David Erickson, the Kootenai Wildlands Alliance from Libby, Montana? Go ahead, Mr. Erickson.

STATEMENT OF DAVID R. ERICKSON, PRESIDENT, KOOTENAI WILDLANDS ALLIANCE, LIBBY, MT

Mr. ERICKSON. I am Dave Erickson, president of the Kootenai Wildlands Alliance.

During the last 20 years, we have experienced an accelerated rate of resource exploitation. Many major companies do not even make a pretense of harvesting on a sustained yield, and even the Forest Service allowable sale quantities are under suspicion. There are a few unroaded lands left and most of the big trees which fed our mills for years are now gone. Workers have experienced massive layoffs due to automation while corporate boardrooms have

made record profits. Recent appeals result from the fact that we have mined and logged at such a pace that we are now stressing other resources beyond the limits of their endurance.

While pressing the limits of our resources, industry has contributed hundreds of thousands of dollars to groups like People for the West who attempt to shift the blame away from industry to scapegoats like spotted owls, grizzly bears, and environmentalists.

Pro-industry organizer, Dennis Winters, recently assigned the blame for a host of social problems, such as wife beating and child molesting, to passage of the Accords. Shifting the blame away from the real causes, however, is really an attempt to continue exploiting resources at an accelerated rate until all resources have been completely taxed to their limits and we are faced with even greater social and economic problems than we have now.

The Accords are an attempt to strike a balance between total exploitation and total preservation. They represent a first-of-a-kind agreement between people on both sides of the issues to find common ground. They are an attempt to reduce conflict rather than increase it. Not passing the Accords will not solve Montana's timber supply problems. In fact, if the Accords are not passed, suitable timber in roadless areas proposed for release would remain unavailable for harvesting. I would like to stress some points about the Accords and wilderness in general.

First, the notion that wilderness is bad for the economy is not supported by research. If that were true, Lincoln County should have the lowest level of unemployment in the State because we have the lowest level of wilderness, smaller than any other forest in the State, that is 4 percent. In fact, Professor Tom Powers from the University of Montana has found that economic growth has occurred at more intense levels in communities located near wilderness than in communities not located near wilderness.

S. 72 releases timber; 98 percent of the suitable timber on the Kootenai and Lolo forests would be available for timber management. If industry cannot survive on 98 percent of the timber, there is little hope that the remaining 2 percent will contribute much to its long- or short-term health.

S. 72 protects vital big game security areas. The highest concentrations of elk in the Kootenai occur in roadless areas which have remained unmanaged by man. It is apparent that undisturbed lands which have been managed by nature instead of man must be at least as beneficial to wildlife as massive blocks of clear-cuts.

Wilderness is not single use. The majority of resources which the Forest Service is committed to managing can be managed in conjunction with wilderness. This includes wildlife habitat, water quality, air quality, soil quality, recreation, visual resources and more. It seems to me, the prime example of single use is massive roading and clear-cutting followed by the gating of roads.

Lastly, S. 72 does not shut down mining in the Kootenai. Opponents of the claim in full page ads of 5,000 mining jobs would be lost if S. 72 becomes law. That claim has been examined by E.N. Lang, the chairman of the Geology Department at the University of Montana, and for the record, I would like to submit Mr. Lang's analysis which finds these numbers to be, in his words, "highly speculative and quite unreasonable."

To understand how far fetched this claim is, it should be pointed out that 5,000 mining claims would be more than twice the number of all of the—5,000 mining jobs is twice the number of all the mining jobs currently in the State of Montana. It is pie in the sky.

Furthermore, in the area in question, 14 of 17 cited occurrences of the Rivett formation, which may or may not contain ore bodies similar to those found in Noranda and ASARCO, occur outside the boundaries of our proposed bill. Boundary adjustments and further compromises were made to accommodate the needs of ASARCO and also Cominco.

Senators, I ask that you act quickly to pass S. 72 so Montana can get on with other concerns. And members of the MWA also have a stack of letters that we would like to submit to the committee.

[The prepared statement of Mr. Erickson follows:]

TESTIMONY ON S-72
June 10, 1991
Dave Erickson

During the last 20 years, we have experienced an accelerated rate of resource exploitation. Many major companies don't even make a pretense of harvesting on a sustained yield, and even the Forest Service allowable sale quantities are under suspicion. There are few unroaded lands left and most of the big trees which fed our mills for years are now gone. Workers have experienced massive layoffs due to automation while corporate board rooms have made record profits. Recent appeals result from the fact that we have mined and logged at such a pace that we are now stressing other resources beyond the limits of their endurance.

While pressing the limits of our resources, industry has contributed hundreds of thousands of dollars to groups like "People for the West" who attempt to shift the blame away from industry to scapegoats like spotted owls, grizzly bears, and environmentalists. Pro-industry organizer, Dennis Winters, recently assigned the blame for a host of social problems such as wife beating and child molesting to passage of the Accords. Shifting the blame away from the real causes, however, is really an attempt to continue exploiting resources at an accelerated rate until all resources have been completely taxed to their limits and we

BEST AVAILABLE COPY

are faced with even greater social and economic problems than we have now.

The Accords are an attempt to strike a balance between total exploitation and total preservation. They represent a first of a kind agreement between people on both sides of the issue to find common ground. This approach marks the beginning of a healing process in communities divided by an atmosphere of name calling and outrageous accusations. They are an attempt to reduce conflict rather than increase it. Not passing the Accords will not solve Montana's timber supply problems. In fact, if the Accords are not passed, suitable timber in the roadless areas proposed for release would remain unavailable for harvesting. I would like to stress some points about the Accords and wilderness in general.

1. The notion that wilderness is bad for the economy is not supported by research. In fact, Professor Tom Power from the University of Montana has found that economic growth has occurred at more intense levels in communities located near wilderness areas than in communities not located near wilderness. Unspoiled land is a selling point for people wishing to relocate. Professor of economics, Chuck Keegan, from the University of Montana recently stated that areas in

BEST AVAILABLE COPY

Libby, "Passage of a wilderness bill would help ease the timber supply shortage".

2. S-72 releases timber. Ninety-eight percent of the suitable timber on the Kootenai and the Lolo Forests would be available for timber management. In addition, areas currently under wilderness contention, would be released from that burden upon passage of S-72. If industry cannot survive on 98% of the timber, there is little hope that the remaining 2% will contribute much to its long or short term health.

3. S-72 does not shut down mining on the Kootenai as implied by opponents. Only 23% of the Revett formation which may (or may not) contain ore bodies similar to those found at the Asarco and Noranda projects is included in the Accord proposal. Most of the Revett formation would remain open for development. Two world class silver deposits are now under development and whether S-72 is passed or not, Lincoln and Sanders Counties will soon be looking at large increases in employment levels and population due to mining. This probably explains why three major business chains have recently opened in Libby.

4. The vast majority of lands on the Kootenai and the Lolo would be available for snowmobiling and ATV use under S-72. Motorized activities do not require that all

44-796 0 - 91 - 3

lands remain open for that activity. Places are needed for non-motorized recreation as well. Opening all areas to motorized recreation is not an example of multiple use since it precludes the use of more primitive activities. S-72 provides room for both types of activities.

5. S-72 protects vital big game security areas. The highest concentrations of elk in the Kootenai occur in roadless areas which have remained unmanaged by man. Ross Creek, Roderick, Grizzly Peak, West Cabinet additions, and the Trout Creek Roadless areas have long been considered to be some of the finest elk hunting on the Kootenai. It is apparent that undisturbed lands which have been managed by nature instead of man must be at least as beneficial to wildlife as massive blocks of clearcuts.

6. The fragile environments proposed as wilderness by S-72 provide the bulk of our snow pack and are the headwaters of some of the purest water in the world. Existing vegetation holds snowpack well into the summer and prevents heavy spring runoffs and summer droughts. Harvesting timber in these areas would contribute to more flooding, more droughts, and more sedimentation.

7. Lastly, wilderness is not single use. The majority of the resources which the Forest Service is committed to managing can be managed in conjunction with wilderness.

This includes wildlife habitat, water quality, air quality, soil quality, recreation, visual resources, and more. It seems to me, the prime example of single use is massive roading and clearcutting followed by the gating of roads. Such management gives industry access to certain areas and excludes the rest of the public. Is that supposed to be considered multiple use?

Senator BINGAMAN. Next, we will hear from Mark Svoboda. Mark, thank you for being here.

STATEMENT OF MARK SVOBODA, VICE PRESIDENT, TEN LAKES SNOWMOBILE CLUB, EUREKA, MT

Mr. SVOBODA. Thank you, Senator Bingaman. My name is Mark Svoboda. I would like to address this testimony in regards to S. 72 on behalf of the Ten Lakes Snowmobile Club and snowmobiling interests on the Kootenai National Forest.

The Ten Lakes Snowmobile Club is so named because the Ten Lakes scenic area is perhaps the best place to snowmobile on the Kootenai National Forest.

Ten Lakes lands in question are recommended by the Forest Service for Federal wilderness designation, but since that recommendation was made following the roadless land studies of the 1970's, snowmobiling has continued to be allowed as the only motorized use in the Ten Lakes area. Through improved vehicle technology, the sport has also grown in popularity, generating $54 million in the 1987-1988 season according to the Montana Snowmobilers Association.

While snowmobiling would be allowed on the various roads in the Ten Lakes area, wilderness designation would preclude the more challenging and rewarding alpine area from snowmobile use. During the winter season, snowmobiles traveling off-road ride on top of about 10 to 15 feet of snow, at least in the Ten Lakes area.

Snowmobile impact on land and plans is negligible. In winter, most species of wildlife have migrated to occupy lower elevations. One exception, bears, are hibernating in dens in usually steep areas not traversed by snowmobiles and the deep snow provides very good insulation against engine noise. Wilderness advocates at this hearing may testify as to the thousands of miles of roads in the Kootenai National Forest, but the fact is, Senators, the majority of these roads are at lower elevations and if they have any snow at all, represent relatively poor snowmobiling as compared to the alpine vistas that local people enjoy for many generations and tourists were appreciate very highly. I also have some information as far as weather is concerned where Eureka is located where I live.

The snowmobile club had attempted to draw a compromise boundary line in the Ten Lakes area with the Kootenai Accord negotiators, but for several reasons, no agreement was achieved. Currently, no snowmobile use in the Ten Lakes area outnumbers that of other nonmotorized winter recreation use by at least 10 to 1. And similar figures are available on the Kootenai National Forests and the other areas that I will address.

The snowmobile club seeks to protect the Ten Lakes area from extractive developments such as timber harvest, mining, petroleum development and still allow snowmobiling in the area. The club has suggested a creation of a Ten Lakes national recreation area to be managed as the lands are currently managed, that being similar to wilderness by prohibiting extractive development and continuing to allow snowmobiling. This concept has the support of over 900 signatures that we gathered last year and also 84 percent of the Lincoln County Wilderness Poll that was conducted on May 21.

The national scenic area designation currently in place in both the Ten Lakes and the Northwest Peak area of the Kootenai National Forest prohibiting extractive development and allowing snowmobiling has worked well to protect the environment. The Ten Lakes Snowmobiling Club invites you to visit these areas to judge for yourselves. In States like Montana with large areas of national forestlands, the club believes forest management should be directed toward enhancing and expanding recreational opportunities, keeping in mind the change of seasons.

Under the national recreation area status the club proposes, the wilderness conditions would prevail in the late spring, summer and fall, and in winter with the exception of snowmobiling as a desirable and compatible use. The Thompson-Seton and the Buckhorn Ridge areas, also close to the Idaho border, through their roadless status and historic snowmobile use, also qualify, we believe, for the site specific and season specific management.

Wilderness advocates stress protection of the environment for future generations. This goal is now being achieved without wilderness designation and can be continued to be achieved through special management dictated, if necessary, by Congress. Wilderness advocates also may say that snowmobiles are noisy and will pollute the air, conditions will disrupt their forest recreation and damage the environment. I contend that barring snowmobiles from the most popular areas ignores the probability that over-the-snow vehicles in the near future will be manufactured as to be barely audible and not emit fossil fuel exhaust.

Wilderness designation for the sake of preserving the environment has a negative side effect of restricting access to the great majority of people from enjoying these lands, especially in winter. A true compromise would both protect the land and allow reasonable access.

For these reasons, the Ten Lakes Snowmobile Club, testifying on behalf of the snowmobiling interests on behalf of the entire Kootenai National Forest recreation recommends the following:

Creation of national recreation area status allowing motorized over-the-snow vehicles as a compatible use for the Ten Lakes scenic area and Northwest Peak scenic area and their respective contiguous lands as defined by the Forest Service.

Also, we recommend the dropping from wilderness consideration the Thompson-Seton, the Buckhorn Ridge, Tuchuck, and Scotchman Peaks areas with the future possibility of similar national recreation area status.

And that concludes my testimony. Thank you very much.

[The prepared statement of Mr. Svoboda follows:]

TESTIMONY

FOR THE UNITED STATES SENATE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

Sen. Dale Bumpers of Arkansas, Chairman
A Subcommittee of the Senate Energy and Natural Resources Committee

JUNE 10, 1991 PUBLIC HEARING
MISSOULA, MONTANA

To: Sen. Jeff Bingaman of New Mexico, hearing chairman
Sen. Larry E. Craig of Idaho, committee member
Sen. Conrad Burns of Montana, committee member
Sen. Max Baucus of Montana, sponsor of Senate Bill 72

By: Mark A. Svoboda, vice-president, Ten Lakes Snowmobile Club, Eureka, Montana

Re: Senate Bill 72

Senators,

Thank you for this opportunity to testify regarding Senate Bill 72 on behalf of the Ten Lakes Snowmobile Club of Eureka and snowmobiling interests on the Kootenai National Forest.

The Ten Lakes Snowmobile Club is so named because the Ten Lakes Scenic Area and contiguous public lands in the northeast corner of the Kootenai National Forest constitute by far the best area in North Lincoln County in terms of local snowmobile use, depth of snow, superb scenery and thus the potential for increased winter tourism.

The Ten Lakes lands in question are recommended by the Forest Service for federal wilderness designation, but since that recommendation was made following the roadless lands studies of the 1970s, snowmobiling has continued to be permitted as the only motorized use in the Ten Lakes area. Through improved vehicle technology, the sport of snowmobiling has also enjoyed increasing popularity since that time, and according to a Montana Snowmobile Association study issued in 1989, the sport and its related expenditures generated $54 million to Montana's growing tourism industry in the 1987-88 season. (1)

While snowmobiling would be allowed on the various roads around the Ten Lakes area, wilderness designation would preclude the more challenging and rewarding alpine country from snowmobile use. During the winter season, snowmobiles traveling off-road in the Ten Lakes area ride on top of 10 to 15 feet of snow. Snowmobile impact to land and plants is negligible. In winter, most species of wildlife have migrated to lower elevations. One exception, bears, are hibernating in dens in usually steep areas not traversed by snowmobiles and the deep snow provides very good insulation from engine noise. Wilderness advocates at this hearing may testify as to the thousands of miles of roads available for snowmobiling, but the fact is, senators, the majority of these roads are at lower elevations and if they have any snow at all, represent relatively poor snowmobiling compared to the alpine vistas local people enjoy and tourists appreciate. The highest peaks in the Galton Range of the Ten Lakes area have elevations of just over 7,800 feet, while the elevation of Eureka is below 2,600 feet. The area's weather is primarily influenced by Pacific fronts. The area is not known for abundant amounts of snow at the valley's lower elevations, and rain is a common occurrence during the winter months while it is snowing in the mountains. (2)

The snowmobile club attempted to draw a compromise boundary line in the Ten Lakes area with Kootenai Accord negotiators, but for several reasons, an agreement was not achieved. Currently, snowmobile use in the Ten Lakes area outnumbers that of non-motorized winter recreation use by more than 10 to 1, and such winter use figures are similar in other areas of the Kootenai National Forest. (3)

TEN LAKES SNOWMOBILE CLUB TESTIMONY ON SENATE BILL 72 (Continued)

The snowmobile club seeks to protect the Ten Lakes area from extractive development such as timber harvest, mining and petroleum development and still allow snowmobiling in the area. The club has suggested to the Montana congressional delegation the creation of a Ten Lakes National Recreation Area to be managed as the lands are currently managed, that being similar to wilderness by prohibiting extractive development and continuing to allow snowmobiling. This concept has the support of over 900 signatures gathered last year, which the club will submit at this hearing (4), and the voted support of 84 percent of Lincoln Countians who voted in the Lincoln County Wilderness Poll conducted May 21, 1991. (5)

The National Scenic Area designation currently in place in both the Ten Lakes and Northwest Peak areas of the Kootenai National Forest prohibiting extractive development and allowing snowmobiling as the only motorized use has worked well to protect the environment. The snowmobile club invites you to visit these areas to judge for yourselves. In states like Montana with large areas of national forest land, the club believes forest management should be directed toward enhancing and expanding recreational opportunities, keeping in mind the change of the seasons. Under the National Recreation Area status the club proposes, wilderness conditions would prevail in the late spring, summer and fall, and in winter with the exception of snowmobiling as a desired and compatible use. The Thompson-Seton and Buckhorn Ridge areas, through their roadless status and historic snowmobile use, also qualify for this season-specific management.

Wilderness advocates stress protection of the environment for future generations. This goal is now being achieved without wilderness designation and can continue to be achieved through special management dictated, if necessary, by Congress. Wilderness advocates may also say snowmobiles are noisy and pollute the air, conditions which disrupt their forest recreation and damage the environment. I contend that barring snowmobiles from the most popular areas now ignores the probability that over-the-snow vehicles in the near future will be manufactured as to be barely audible and not emit fossil fuel exhaust.

Wilderness designation for the sake of preserving the environment has the negative side effect of restricting access to the great majority of people from enjoying these lands, especially in winter. A true compromise would both protect the land and allow reasonable access.

For these reasons, the Ten Lakes Snowmobile Club, testifying on behalf of snowmobiling interests in the entire Kootenai National Forest, recommends the following:

1) Creation of National Recreation Area status allowing motorized over-the-snow vehicles as a compatible use for the Ten Lakes Scenic Area and Northwest Peak Scenic Area and their respective contiguous lands.

2) Dropping from wilderness consideration the Thompson-Seton, Buckhorn Ridge, Tuchuck and Scotchman Peaks areas with the future possibility of similar National Recreation Area status.

Snowmobiling interests in the Kootenai National Forest have no conflict with the Grizzly Peak and Roderick Mountain areas proposed for wilderness under Senate Bill 72.

Thank you for your consideration.

Respectfully submitted,

Mark A. Svoboda
P.O. Box 168
Eureka, MT 59917
(406) 296-2514

APPENDICES 1, 2, 3, 4 & 5

Senator BINGAMAN. Thank you very much.
Next we will hear from John Balla, who is with ASARCO.

STATEMENT OF JOHN C. BALLA, MANAGER, NORTHWESTERN EXPLORATION DIVISION, ASARCO, INC., SPOKANE, WA

Mr. BALLA. Thank you very much, Mr. Chairman. My name is John Balla. I am the manager of the Northwestern Exploration Division of ASARCO, and for the last 18 years, I have been managing ASARCO's exploration on the Kootenai and Lolo National Forests.

We do appreciate your coming to Montana to conduct these hearings.

ASARCO is a mining company with a major interests at stake in any legislation that affects access to and development of public lands here in Montana. One can argue that as a mining company, our narrow self-interest is adequately served by the continuation of the status quo on wilderness. Nevertheless, we have been willing to walk the extra mile in an effort to put this divisive issue behind us and we remain willing to continue to work to achieve a satisfactory consensus.

To the wilderness bill, I would like to make these two points: First, we believe that the views of the people who would be most directly affected by this legislation must be taken into account. By this, we mean that the previously negotiated accords would be reexamined and we must seek a new consensus that moves in the direction of the Forest Service wilderness proposal. Possibly the new consensus will be much more difficult to achieve than the old one, but this is merely a democratic process and we would like to see a larger number of people satisfied with the wilderness bill as it emerges.

Second, great care must be exercised in removing areas from mineral exploration which have a high potential for the discovery of minerals as we do not believe it is good public policy to remove areas from mineral exploration which have a high potential for the discovery of valuable minerals.

We have reviewed the mineral potential of each of the areas that is being proposed for wilderness in the Kootenai Accord and we note that in a few of them, they have a high mineral potential, others has very little. But then, so did the Cabinet Mountain Wilderness in 1964.

We are concerned about the creation of new wilderness areas which have a high mineral potential. We have met with members of the Montana Wildlands Coalition and have worked out recommended boundaries for two proposed wilderness areas in the Scotchman Peaks and Cataract Creek proposed wilderness areas, each of which have mineral potential. The Scotchman Peaks Wilderness area is immediately west of our Troy mine.

We believe that the proposed boundary in the Ross Creek area shown on the attached map is a realistic one and provides permanent protection to the area adjacent to the Rock Creek cedar scenic area and while it adversely affects a number of our mining claims in the area, it does protect the great natural beauty of that area. We have also agreed with others that the wilderness boundary which protects some rugged cliffs south of Spar Lake in the Cub

Creek area is a realistic one. At Cataract Peak, along the Vermilion River, the proposed boundary would protect two small mountain lakes, Grouse and Bear Lakes.

We are also concerned about the release language because we are concerned that it may, in that sense, cause a revision of the Kootenai and Lolo Land Management Plans, and that we may be meeting again in the not too distant future to consider the presently designated nonwilderness areas for wilderness classification.

We would be pleased to review with interested parties the various wilderness areas, one by one, and provide our knowledge and our ideas about the mineral potential of the other areas proposed for the wilderness designation.

We thank you for the opportunity to present our views on this subject which is important to ASARCO and all of us in northwestern Montana. Thank you very much, sir.

[The prepared statement of Mr. Balla follows:]

PREPARED STATEMENT OF JOHN C. BALLA, MANAGER, NORTHWESTERN EXPLORATION DIVISION, ASARCO, INC., SPOKANE, WA

My name is John C. Balla. I am Manager of the Northwestern Exploration Division for ASARCO Incorporated.

ASARCO has been a corporate citizen of Montana since 1899, and has been a miner in Montana at various locations during many of the years of this century. We have major interests at stake in any legislation that affects access to development on public lands in Montana. We have been very close to the wilderness debate in Montana since 1973, when we acquired the mining claims where our Troy Mine was developed and now operates. ASARCO has conducted the most extensive and intensive mineral exploration program in any congressional designated wilderness area, which resulted in the discovery of a world class copper-silver deposit, in the Cabinet Mountains Wilderness and has successfully conducted a major exploration program in another proposed wilderness area, the Scotchman Peaks area.

We think that discussions of wilderness issues must equally take into consideration the multiple use concept. For these reasons we have been happy to meet with other users of public lands—with timbermen and conservationists, etc.—to see if some joint recommendations could be made to federal legislators. We were able to come to some compromises and did make some proposals to the interested community. Our input to these discussions had not only to do with the fact that we know where the minerals are, but we probably have as much insight as anyone as to where undiscovered minerals might be located.

The Wilderness Act says that mineral concerns must be addressed as new wilderness areas are created. The legislative history of the Wilderness Act clearly demonstrates that the Congress had mineral issues in mind and took due regard of mineral issues when they drew up the Wilderness Act.

New technology and new exploration theories constantly arise and these theories result in the discovery of new mineral deposits, sometimes in surprising places, such as the Cabinet Mountains Wilderness.

An example from the Kootenai National Forest will illustrate why we are very concerned over the areas being recommended for wilderness in the Kootenai Accord.

In 1962 and 1963, there was considerable public debate on the subject of wilderness, with the debate culminating in the Wilderness Act of 1964. One of the provisions of the Act was that mineral exploration could occur within any designated wilderness until December 31, 1983.

One of the wilderness areas that was created by the Act was the Cabinet Mountains Wilderness in Northwestern Montana. When the Forest Service and the Congress drew the wilderness boundary in the Rock Creek area of the Cabinets, the only known mining prospect was the Heidelburg gold mine above Rock Creek Meadows. The property consisted of about 20 claims, and the wilderness boundary was drawn around the property.

After the area had been made a wilderness, and in the 20 year period until December 31, 1983, approximately 500 mining claims had been located inside of the wilderness and two world-class copper-silver deposits had been discovered. None of these claims existed at the time the area was made a wilderness.

When the original wilderness areas in this state were designated by Congress these deposits were not known, or even dreamed of.

Returning to 1991, as we review the mineral potential of each area that is being proposed for wilderness in the Kootenai Accord, we note that a number of them have a high mineral potential. Some of the areas already have hundreds, or thousands, of mining claims in them, while other areas have relatively few claims. But then, so did the Cabinet Mountains Wilderness in 1964.

We are still an industrial society and new minerals are needed in this country. We still need copper electric wire for new housing and all the other needs of our expanding population and if we can procure all the metals and lumber and other materials we need to live on in this country we can avoid buying them from others overseas and aggravating our economy and budget.

We are not opposed to the process of wilderness designation, but wish to participate in it. As we enter new discussions which will lead up to the formation of new wilderness areas we would urge that the mineral potential in each area be given serious consideration. As we look at areas proposed for wilderness in the Kootenai Accord we note high mineral potential.

We also know that for all practical purposes that once any of these areas become wilderness, no minerals will ever be developed in them. It has been said that if the nation ever gets into a minerals crisis then access to wilderness areas can be allowed and minerals will immediately flow from them. Of course, this is wrong. It takes years to bring a mine into production after the minerals in it were first found.

We are also concerned about the release of non-wilderness lands for multiple use. Our concern is that the enactment of the Kootenai-Lolo Accords may trigger a revision of the Kootenai-Lolo Land Management Plans, which will initiate a new round of review of the just-released lands for wilderness designation. Thus, after enactment of the Accords, we may well be meeting again in the not-to-distant future to consider the presently designated non-wilderness areas for wilderness classification.

For all the reasons discussed above and because we do believe that consensus amongst all concerned persons should be an important ingredient in wilderness legislation, we have met with members of the Montana Wildlands Coalition and have worked out recommended boundaries for two proposed wilderness areas in the Scotchman Peaks and Cataract Creek proposed wilderness areas, each of which has mineral potential. The Scotchman Peaks Wilderness area is immediately west of our Troy Mine. We think the proposed boundary in the Ross Creek area, shown on the attached "Proposed Scotchman Peaks Wilderness Area" map is a realistic one and provides permanent protection to the area adjacent to the Rock Creek cedar scenic area and while it adversely affects a number of our mining claims it does protect the great natural beauty of that area. We also have agreed with others that the wilderness boundary which protects some rugged cliffs south of Spar Lake is a realistic one.

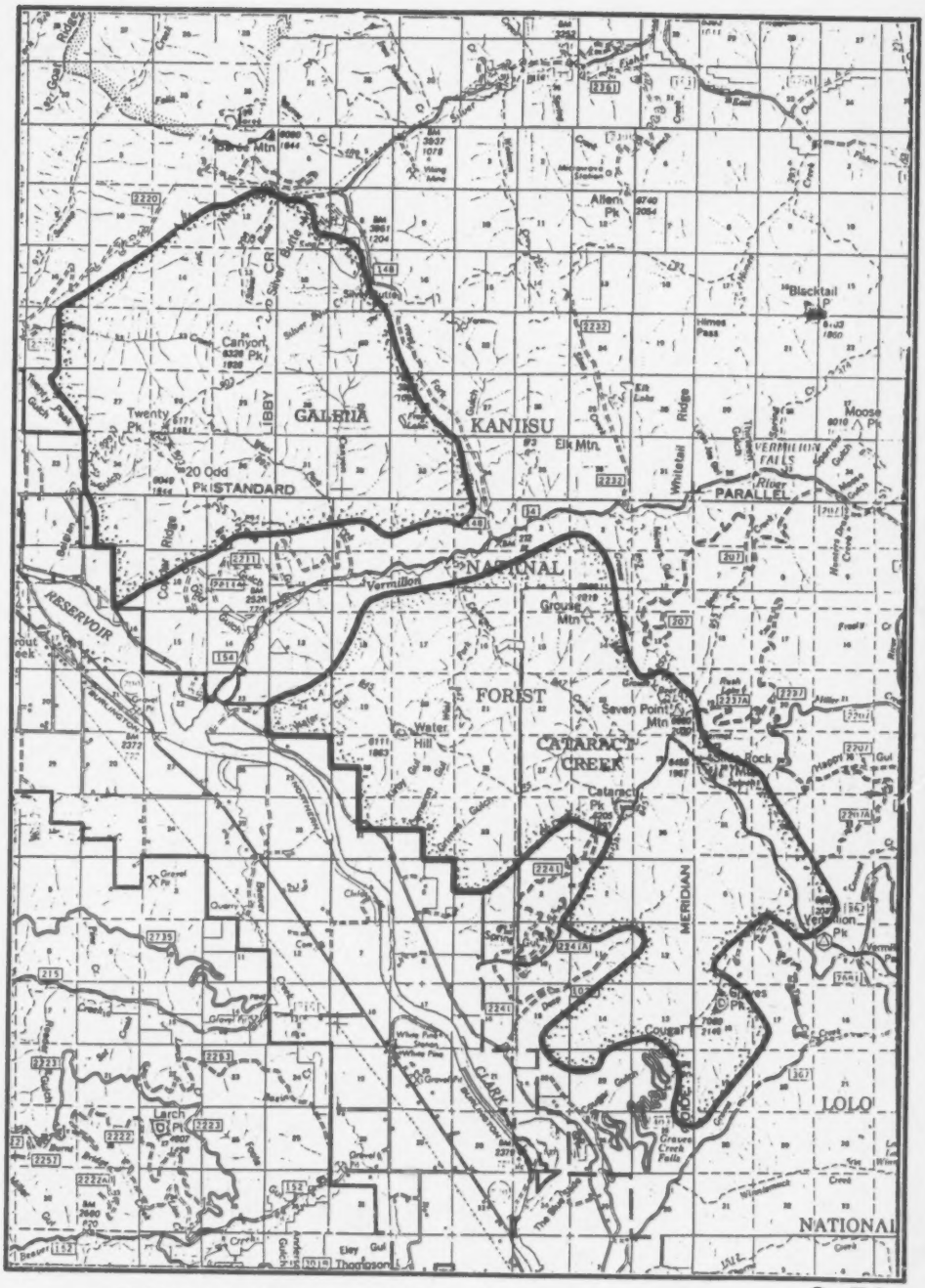
At Cataract Creek along Vermilion River the proposed boundary would protect two small mountain lakes, Grouse and Bear Lakes as shown on the attached map entitled "Proposed Galena and Cataract Creek Wilderness Areas."

We would be pleased to review with interested parties the various wilderness areas, one by one, and to provide our knowledge and ideas about the mineral potential of the other areas proposed for wilderness designation.

We thank you for the opportunity to present our views to you on this subject which is important to ASARCO and to all of us in Northwestern Montana.

PROPOSED SCOTCHMAN PEAKS WILDERNESS AREA

S-72



PROPOSED GALENA AND CATARACT CREEK WILDERNESS AREAS S-72

Senator BINGAMAN. Thank you very much.

Our next witness is Jerry Okonski with the Libby Ski Search.

STATEMENT OF JERRY P. OKONSKI, LIBBY SKI SEARCH, LIBBY, MT

Mr. OKONSKI. Thank you, Senator. Distinguished Senators, fellow panel members, ladies and gentlemen.

Our group, Libby Ski Search, composed of citizen volunteers with very diverse backgrounds and opinions concerning line allocation on the Kootenai represents a very large portion of Lincoln County. Together, we desire to create a publicly owned nordic and alpine winter sports area in the vicinity of Libby.

Since its inception, the Treasure Mountain Winter Sports Area proposal has received and continued to receive overwhelming support from the local and county-wide population. City, county, State, and Federal elected officials have totally supported the concept. What the people have indicated to us through surveys and pools is a sincere desire to seek practical options for their communities, their businesses, their employment opportunities, and their families.

Libby and the surrounding area has a strong skiing heritage. This heritage began with the young people that scaled the surrounding mountains 40 to 50 years ago looking for a ski run. 30 years ago, a tremendous volunteer effort resulted in the development of the Turner Mountain Ski Area. The lift and facilities at Turner Mountain are in such a deteriorated condition that it is only a matter of time before the area is forced to close.

With the wishes of most of our people in mind and the need to replace an antiquated facility, Libby Ski Search exists to fulfill two goals: One, aid in our county's economic diversification efforts. Two, provide a quality skiing experience for both nordic and alpine skiers of all ability levels.

After sorting through various potential sites, it must be like trying to find a mining claim, a mining mineral deposit or something, but it was quite a process, the northeast lower slopes of Treasure Mountain had the best combination of physical attributes, least capital expenditure for access, best location to minimize base development and greatest opportunity to benefit our area economy.

The physical attributes of the area include, for an example, an ideal northeast exposure as recommended by various ski consultants over the years. This holds the snow early as well as late in the season. Two, a wide variety of slopes with good fall lines for everyone; and three, a true 3,000 feet of vertical drop and quite possibly more; and four, a good snow history that is currently being verified.

This area is approximately 8 miles from downtown Libby. It only requires 15 to 20 minutes travel time. The existing road grade gently climbs to within one-half mile of the potential base location. Road widening, for example, for safety will not create large cuts and fills. Since we are recommending minimal base development, we propose a day lodge and support buildings that would complement the mountain setting.

The overall location of the mountain in Northwest Montana places it in the middle of a transportation triangle. A vastly improved U.S. Highway 2 and daily Amtrak service provides east-west travel. State Highway 37 provides a direct route to Libby from the growing Canadian market. With instrumentation improvements at the airport, commuter airline transportation could complement existing air charter services.

These national and manmade attributes would make this publicly owned facility a rural incubator. It would promote revitalization of existing area businesses and the addition of new service businesses.

We want to create a recreational corridor similar to other cities. This corridor would be unique in that almost all related business development would be concentrated in the city district. The use of Libby as an overnight base area looks viable to our consultant. The proximity to town eliminates a need for a large base area development and as one progresses toward the ski area and beyond, there will be, of course, less developments.

We have completed snow surveys and preliminary studies, thanks to trained volunteers and corporate and city donations. We have retained well-qualified ski area consultants that are now conducting a formal feasibility study as requested by the U.S. Forest Service. Funds for this $60,000 study are being contributed by corporate, city, county, and private sources.

In spite of serious setbacks to our economy, our people have responded well. Our consultants feel the concept and plan is sound, and we look forward to working with the U.S. Forest Service, the U.S. Fish and Wildlife Service and other agencies that to date have been cooperative.

A well designed, environmentally responsible project at this particular location provides much promise in our diversification efforts.

Finally, we respectfully request the following considerations in any pending or immediate land allocation agreement concerning this particular area.

One, that the portion displayed on the map, on the map I included in your report, be deleted from any further wilderness consideration. This amounts to approximately 1,135 acres.

That this minor deletion be immediate to allow us a clear path or window of opportunity of at least 10 years, not including unforeseen delays.

And three, that you support us in our diversification effort now and in the future.

As you have witnessed, this is just one of the many concerns expressed by the people in our county. Please consider these carefully. Do not close out future options for our people, the timber workers, the miners, and all the other recreation interests.

We also invite you or any member of your staff on a guided tour of this area to see the terrain, review our plans and discuss our project on the ground. For that matter, we cordially invite any interested persons to contact us. Thank you for allowing us to briefly present our plans and recommendations.

[The prepared statement of Mr. Okonski follows, additional materials retained in subcommittee files:]

Presentation
before the

U.S. Senate Subcommittee
on
Public Lands, National Parks and Forests

June 10, 1991
Missoula, Montana

Requesting a Land Designation change
on the Kootenai National Forest
for the
Treasure Mountain Winter Sports Area

by
Jerry P. Okonski
Libby Ski Search
Libby Area Economic Development Council

Distinguished Senators, fellow panel members, ladies and gentlemen:

Introduction

Our group, Libby Ski Search, composed of citizen volunteers, represents a very large portion of Lincoln County. We desire to create a publicly owned Nordic and Alpine winter sports area in the vicinity of Libby (Vicinty Map).

Since its inception The Treasure Mountain Winter Sports Area Proposal has received and continues to recieve overwhelming support from the local and county wide population. City, county, state, and federal elected officials have totally supported the concept (Appendices A,B). What the people have indicated to us through surveys and polls is a sincere desire to seek practical options for their communities, their businesses, their employment opportunities, and their families.

Skiing Heritage

Libby and the surrounding area has a strong skiing heritage. This heritage began with the young people that scaled the surrounding mountains forty and fifty years ago looking for a ski run. Thirty years ago a tremendous volunteer effort resulted in the development of the Turner Mountain Ski Area. The lift and facilities at Turner Mountain are in such a deteriorated condition that it is only a matter of time before the area is forced to close.

With the wishes of most of our people in mind and the need to replace an antiquated facility Libby Ski Search exists to fulfill two goals:

1) aid in county economic diversification;

2) provide a quality skiing experience for Nordic and Alpine skiers of all ability levels.

Good Physical Attributes

After sorting through various potential sites the northeast, lower slopes of Treasure Mountain (photos 1,2,3) had the best combination of physical attributes, least capital expenditure for access, best location to minimize base development, and greatest opportunity to benefit the area economy.

The physical attributes of the area include:

1) an ideal northeast exposure, as recommended by various ski consultants over the years; this holds the snow early as well as late in the season;

2) a wide variety of slopes with good fall lines for all ability levels;

3) a true 3,000 feet of vertical drop, and quite possibly more;

4) a good snow history, currently being verified.

Photo 1 - Oblique aerial photo - upper half
(Note the large amount of red/brown beetle killed trees)

Photo 2 - One half mile from base area, looking southeast

Photo 3 - View to southeast from Flower Creek Road
(Main ridge, bowl area, and summit)

Ideal Location and Road Access

This area is approximately eight miles from downtown Libby. It only requires fifteen to twenty minutes travel time. The existing road grade gently climbs to within one half mile of the potential base location. Road widening for safety will not create large cuts and fills. Since we are recommending minimal base development, we envision an appropriately sized day lodge and support buildings that will complement the mountain setting.

Good Transportation Alternatives and Routes

The overall location of the mountain in Northwest Montana places it in the middle of a transportation triangle (Figure 1).

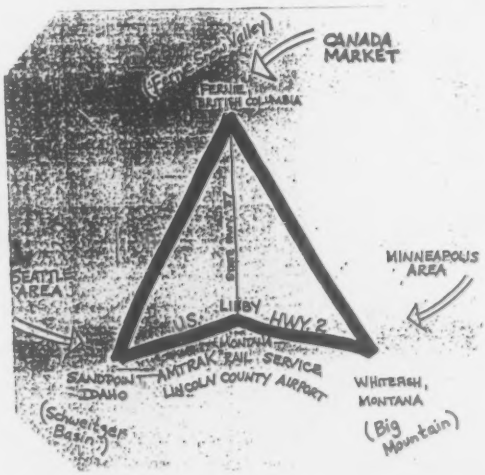


Figure 1 - Transportation Triangle

A vastly improved U.S. Highway 2 and daily Amtrak Rail service

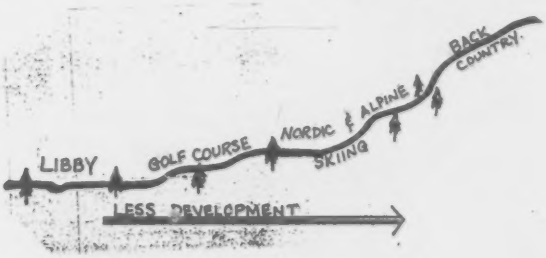
provide East/West travel. State Highway 37 provides a direct route to Libby from the growing Canadian market. With instrumentation improvements at the airport commuter airline transportation could complement existing air charter services.

Rural Business Incubator

These natural and manmade attributes would make this publicly owned facility a rural business incubator. It would promote revitalization of existing area businesses and the addition of new service businesses.

Recreational Corridor

We want to create a recreational corridor similar to other cities. This corridor would be unique in that almost all related business development would be concentrated in the city district. The use of Libby as an overnight base area looks viable to our consultants. The proximity to town eliminates the need for a large base area development. As one progresses toward the ski area and beyond there will be less development (Figure below).



Studies Initiated, Consultants Retained

We have completed snow surveys and preliminary studies, thanks to trained volunteers and corporate and city donations. We have retained well qualified ski area consultants that are now conducting a formal feasibility study as requested by the U.S. Forest Service. Funds for this $60,000 study are being contributed by corporate, city, county, and private sources.

In spite of serious setbacks to our economy our people have responded well. Our consultants feel the concept and plan is sound. We look forward to working with the U.S. Forest Service, U.S. Fish and Wildlife Service, and other agencies that to date have been cooperative.

A well designed, environmentally responsible project at this particular location holds much promise in our diversification efforts.

Minor Deletion Requested

Finally, we respectfully request the following considerations in any pending or immediate land allocation agreement concerning this particular area:

1) that the portion displayed on Map I be deleted from any further wilderness consideration; this amounts to approximately 1135 acres;

2) that this minor deletion be immediate to allow us a clear path or window of opportunity of at least ten years, notincluding unforeseen delays;

3) that you support us in our diversification effort now and in the future.

Invitation

We also invite you or any member of your staff on a guided tour of this area, to see the terrain, review our plans, and discuss our project on the ground. For that matter we cordially invite any interested persons to contact us.

Thank you for allowing us to briefly present our ideas, plans, and recommendations.

Senator BINGAMAN. Thank you very much.

Our final witness on this panel is Mike Bader for the Alliance for the Wild Rockies.

STATEMENT OF MIKE BADER, ALLIANCE FOR THE WILD ROCKIES, MISSOULA, MT

Mr. BADER. Mr. Chairman, Senator Baucus, Senator Burns, Senator Craig, thank you for the opportunity to address the committee.

My name is Mike Bader. I reside in Missoula, Montana and I represent the Alliance for the Wild Rockies. Alliance membership consists of 125 organizations, businesses, and thousands of individual members and supporters. I would like to point out that 65 of these organizations and businesses are located in western Montana.

We urge you to remember that the great wildlands of the Northern Rockies belong equally to all Americans. These lands are among the most nationally significant wildlands in the Nation, still containing wild populations of grizzly bears, gray wolves, caribou and a number of other species.

We oppose S. 72 on several grounds. We feel the bill is a timber supply bill designed primarily to expand below-cost logging and road building programs into undeveloped roadless areas. The areas released for logging are generally marginal timber lands. Steep, remote. The impacts to water quality, wildlife habitat, wilderness values, and scenery, not to mention the economic benefits could be hurt if these areas are open for logging.

Release language for S. 72 could preclude certain appeal rights. According to Senator Baucus, release language for this bill is essentially written by the timber industry attorneys designed to protect their fundamental interests. Water rights language for the bill could preclude water rights for newly established wilderness areas. We feel the bill opens up too many roadless areas and that wildlife needs and wildlife corridors were not adequately addressed. The bill also releases more than 110,000 acres of uninventoried roadless areas.

Mr. Chairman, in our opinion, the polarized nature of this debate was created in large measure by the heavy, what we feel is, overcutting of the past 10 years on private land holdings in the region; and we are submitting a few photographs of these kind of practices for the record. Much of the standing inventory in these lands has been essentially liquidated. These companies are now demanding access to the public forests. We now have computerized mills which we feel are built way beyond the capacity of our native forest ecosystems to supply these mills with a sustainable flow of timber over the long haul. It could only be a few more years before these mills literally run through the forests of western Montana and then what?

One of our feelings here is that there has been no cumulative effects analysis done for this bill. This here is a map of the boundaries of the Lolo National Forest. These are the minimum known roads on the forest as of 5 years ago. We have had 5 years of road building since then, and you can see the slashed areas there, the remaining roadless areas, and we feel that under the bill, after 27 roadless areas just on the Lolo and then parts of 9 others are re-

leased, we will literally have roads and logging in just about every corner of the forest.

A similar map of the Kootenai, I believe, would be far more red on there, a lot more roading up there, so we think that needs to be taken into account. It is not that we are against compromise, but we think that a good part of the forest has already been compromised, as you can see with the roading. And some of these pictures we have submitted shows some of these road network areas and what is going on there.

We urge an ecosystem based on a regional approach to wilderness protection and management. We would like to see a system of linking corridors. We seek protection for large blocks of lands, large enough to support viable wildlife populations, and we feel that some of these connecting corridors are not addressed in this legislation. This view has been endorsed and promoted by some of the world's leading biologists, including Dr. John Craighead and Dr. Lee Metzger here in Missoula.

The Alliance, with its membership, has developed a proposal based on a multistate approach, the Northern Rockies Ecosystem Protection Act. It is a biological approach and it has been endorsed by more than 135 organizations and businesses, people from virtually all walks of life.

What we are seeking is an alternative forest employment through a Wildlands Recovery Corp. It has been done before by Congress as part of the Redwood National Park Expansion Act of 1978 where local heavy equipment operators, gypo loggers, disabled persons, and many others were put to work restoring the forest ecosystem.

We feel it can be done here, that there are many worthy project areas, including on the Lolo National Forest. We proposed one. We would like to work with what we feel is the strengths of the region rather than against it. We think it is time to get ahead of the curve and seek alternative employment now. We need to see job retraining programs now rather than later when the timber is gone.

We have submitted a copy of our proposed proposal and some maps and I would like to thank you very much for allowing us the opportunity to address this respected subcommittee.

[The prepared statement of Mr. Bader follows:]

PREPARED STATEMENT OF MIKE BADER, ALLIANCE FOR THE WILD ROCKIES, MISSOULA, MT

Mr. Chairman, Senator Burns, Senator Craig, Senator Baucus, thank you for this opportunity to address the committee. My name is Mike Bader, I reside in Missoula, Montana and represent the Alliance for the Wild Rockies. The Alliance membership consists of 125 organizations, businesses, and thousands of individual members and supporters. I would like to point out that 65 of these organizations and businesses are located in Western Montana.

We urge you to remember that the great wildlands of the Northern Rockies belong equally to all Americans. Their input is crucial to arriving at a fair legislative package. These lands are among the most nationally significant wildlands in the Nation, and the only ones wild enough to still contain grizzly bears, caribou, and gray wolves.

We are opposed to Senate Bill 72. Our opposition is based on several grounds. We feel the bill is a timber supply bill designed primarily to expand below-cost Forest Service logging and roadbuilding programs into undeveloped roadless areas. The areas which would be released for logging by S. 72 are generally the most marginal timber lands on the two forests involved. They are steep, remote areas which would

require very high public subsidies. The impacts to water quality, wildlife habitat, wilderness values, and scenery, not to mention the economic benefits associated with these values; would be tremendous.

Our other objections are based on the sheer amount of de facto wilderness lands released for development. More than 30 roadless areas are released in their entirety under S. 72. Less than 4% of America still remains in a pristine condition. Much of this land is located in Montana. This is the last place that hasn't been ruined. But S. 72 would go a long ways towards making western Montana just like every place else.

Moreover, the release language for S. 72 precludes certain appeal rights, thus guaranteeing that logging would take place in these roadless areas. Prominent conservation attorneys have raised serious concerns about the release language. Senator Baucus has written that the release language for this bill was essentially written by the timber industry and is designed to protect the timber industry's fundamental interests.

Water rights language for the bill is also skewed towards industry. It was written by stockgrower interests and essentially precludes water rights for newly established wilderness areas.

Mr. Chairman, we are very concerned with the exclusive, rather than inclusive nature of the Accords. The formation of the Accords were negotiated in secret. The director of the Montana Wilderness Association has described them as "a private agreement." We were purposefully excluded from the Accords process, as the Montana Wilderness Association newsletter has admitted. Therefore, it is hard for us to fathom how an agreement that excluded a pro-wilderness alliance of 125 organizations and businesses, not to mention dozens of other interest groups, can be hailed as the most broadly supported agreement ever. Sure, the Accords supporters have waged big-bucks public relations campaigns. We think its smoke and mirrors. The bottom line is that industry would receive for their private profit, exploitation rights to 98% of the timber base on these two forests. That's not a fair compromise. It's native forest ecosystem destruction.

It's not that we are against compromise. But a close look at any map of the U.S. will show you that wilderness has been virtually compromised out of existence. The map we present of the minimum known current logging roads on the Lolo National Forest shows that there is already a mind-boggling network of roads. After 27 roadless areas and parts of 9 others are released for development on the Lolo, we'll have roads on virtually the entire national forest. We're already losing our nationally significant wild trout fisheries to sediments generated from logging roads and clearcuts. Enough is enough. S. 72 will cause unacceptable impacts to our wildlife and fish populations.

I worked for several years as a national park ranger in Yellowstone National Park and I've watched with dismay the rapid decline and fragmentation of the remaining ecosystem fragments in the northern Rockies. From years of researching the scientific literature, it is clear in my mind that what is urgently needed is an ecosystem-based, bioregional approach to wilderness protection and management. This view is endorsed and promoted by the world's leading biologists, including Missoula's own Dr. John Craighead, recently named by the National Geographic Society as one of the top ten scientists in the world for the 20th century. It's also promoted by Dr. Lee Metzgar, former head of the University of Montana Wildlife Biology and Zoology Departments, and by Dr. Charles Jonkel, a world-known bear researcher.

Mr. Chairman, in our opinion, the polarized nature of the great wilderness debate was largely created by the forest liquidation of the past ten years by corporate timber giants Champion International and Plum Creek Timber Company. These corporations virtually liquidated their entire standing inventory on their vast private land holdings in Western Montana. They now demand access to the public forests. They've built huge computerized mills built way beyond the capacity of our native forest ecosystems to supply a sustainable flow of timber. These mills have an insatiable appetite that will devour the forests of Western Montana within a few more years. Then what?

These destructive policies have led loggers, millworkers, conservationists, and forest ecosystems down the same dead-end path. We feel the legislation based on the Accords is not solution-oriented. Rather than resolving and addressing the problems created by overcutting of forests; it prescribes more of the same. It merely postpones the day of reckoning which is inevitably upon us all. S. 72 not only fails to address the real issues such as overcutting of forests, it fails to propose any type of retraining programs for displaced and unemployed timber workers or alternative employment programs. It will not create or save jobs. It merely prolongs a small part of the

work force. We need solutions that are sustainable both ecologically and economically.

The Alliance in cooperation with its members has developed the Northern Rockies Ecosystem Protection Act. This biologically-based approach has been endorsed by more than 135 organizations and businesses from virtually all walks of life. Major endorsers include Greenpeace, with over 2.5 million members, the Association of Forest Service Employees for Environmental Ethics, the Idaho Sportsman's Coalition, many outfitters and guides, homeowners groups, and hundreds of thousands of other Americans across the Nation.

The bill calls for alternative forest employment through a Wildlands Recovery Corps. This has been done elsewhere and been funded by Congress, most notably as part of the Redwood National Park Expansion Act of 1978. Local heavy equipment operators, gypo loggers, disabled persons, and many others were put to work restoring the forest ecosystem. We can do it here. There are many worthy project areas. Let's work with the strength of the region rather than against it. We feel its time to get ahead of the curve and seek alternative employment and address problems brought about by forest overcutting and poor logging practices. We've submitted a copy of our proposed legislation for the hearing record.

Senator BINGAMAN. Thank you very much for the testimony.

We will go to questions now.

Senator Baucus.

Senator BAUCUS. Thank you, Mr. Chairman. Dave, you, I think, testified that S. 72 excludes all but a small portion of the mining claims. In your testimony, 14 out of 17 are excluded as to including wilderness; is that accurate?

Mr. ERICKSON. The Revett formation includes a large area basically south—the area we are concerned about here is southwest of Highway 2. Most of that area is outside of the areas that we proposed. Now, within the Revett formation there are occurrences that have been identified of the Revett formation which may contain ore bodies. 14 of the 17 known occurrences occur outside the areas that we are proposing. Two of the areas are Noranda and ASARCO which are already under development. Two of the areas——

Senator BAUCUS. Are you available for potential further boundary adjustments? For example, in the southeast of the Cabinet Additions? As I understand it, there are significant mining claims in the southeast portion of the Cabinet Additions.

Mr. ERICKSON. There are a lot of mining claims in the southeast addition of the Cabinet.

Senator BAUCUS. Are you open to deleting those, at least that part, the southeast portion of the Cabinet addition.

Mr. ERICKSON. We are open to changes. If somebody can make a good case for that, I guess, you know, we are going to look at it. The patented mining claims should not be a problem. There is access guaranteed to those. The unpatented claim, I think there is something like 2,000 of them in the area in the southeast portion of the Cabinets, and that is the major zone concentration of the unpatented claims in the Cabinets.

Actually, I have been all over that area and I have found lots of mining claim notices on trees. I have yet to find anybody working a claim or any evidence of anybody working a claim, or even any evidence that anybody has been doing their annual assessment work. So I guess, I think we need to find out if something is really happening there or not before we just exclude that area blanketedly.

Senator BAUCUS. As you also know, S. 72 would place about 30 percent of the suitable timber in the inventory roadless acreage into wilderness. Is that accurate?

Mr. ERICKSON. That is correct.

Senator BAUCUS. Now, you have heard some complaints about that. Are you open to some suggested changes, again, some boundary changes, particularly, say, in the Ten Lakes Area, Northwest Peak, Galena, Buckhorn Ridge? That is, carving out some suitable timber?

Mr. ERICKSON. There are some areas where, surprisingly, we would actually welcome some boundary adjustments. There are places that we found since we came up with the original proposal where the Forest Service's inventoried roadless area did not, in fact, include all of the roadless area that was there. Many of those places are trail heads, places that we really want to protect.

Now, we have discussed this and it seems very reasonable that we would be able to take off areas of suitable timber and include areas of unsuitable timber in the boundary adjustments to accommodate needs of both sides' best advantage.

Senator BAUCUS. Now, what about the snowmobiling conflict in Ten Lakes? Snowmobiles do not cause a lot of damage——

PROTESTER. Excuse me, but I am sick of hearing about goddamn people. Why do you not have——

[Proceedings interrupted by protesters wearing animal masks.]

Senator BINGAMAN. Would the protesters please step outside?

UNIDENTIFIED SPEAKER. Let us hear it for the animals.

[Applause.]

Senator BINGAMAN. All right, let's go ahead and continue testimony.

Senator BAUCUS. Ten Lakes is very controversial. Why not either deplete Ten Lakes from wilderness or else, perhaps, some boundary changes? What is the problem? Why can't we work out some way of——

Mr. ERICKSON. Ten Lakes has very high wilderness potential. It was first proposed as wilderness in 1925. It was proposed by the Forest Service as wilderness. The history of use in Ten Lakes has been primarily wilderness use until very recently when the Forest Service said they would allow snowmobiling in Ten Lakes. We feel that the best use for Ten Lakes is wilderness.

Senator BAUCUS. What about Grizzly Peak? That is less than 5,000 acres. Half of it is classified as suitable timber. What are that area's wilderness values?

Mr. ERICKSON. Grizzly Peak is the smallest area in our proposal. If you stood on Grizzly Peak and looked out, especially to the north, you would be looking over a sea of clear-cuts. Primarily the Yak I am talking about, which is having some serious problems now because of overharvesting. The Grizzly Peak has a lot of wildlife in it, grizzly bears, elk; and it is a sanctuary in the midst of a sea of development.

Senator BAUCUS. What about Treasure Mountain? Do you have a conflict with the ski development?

Mr. ERICKSON. We could have saved Jerry a trip here to testify. We will support a window of opportunity for Treasure Mountain.

Senator BAUCUS. What do you mean "window of opportunity"?

Mr. ERICKSON. For them to find out whether their project is feasible.

Senator BAUCUS. What do you mean by "window of opportunity"? Do you mean a boundary change?

Mr. ERICKSON. Our first preference would be a window of opportunity. In other words, in 5, 6 years, whatever that window would be, if they were not able to put together something that was going to be reasonable and fly, then the area would automatically revert to wilderness. If we do not have a window and we exclude that area, then I guess that means that we would have to come back and fight that battle at a later date.

Senator BAUCUS. Now, Mark, your turn. With snowmobiles, I guess one question that comes to mind is the Recreational Vehicle Days in the Ten Lakes Area is quite a bit lower according to Forest Service data compared with some of the other areas. That is, according to the Forest Service, the Cabinet Additions have about 16,000 RVD's; Scotchman Peaks, about 6,500; Ten Lakes, 1,000.

So one question obviously is: Compared certainly to other areas in the Kootenai, it seems that snowmobile use is a lot lower. Is that accurate.

Mr. SVOBODA. I would say that would be an accurate statement because there are just less people in the Eureka area than you would see in Libby and also the Libby area, Libby-Troy area who also get snowmobilers from Idaho.

Senator BAUCUS. I would like to ask the Forest Service. Is Bob Shrank here?

Would you explain why the Forest Service recommended Ten Lakes Area be wilderness?

Mr. SHRANK. Well, when we went through the process, there seemed to be three areas on the forest where there was a lot of support and need for wilderness designation. Ten Lakes was one of those areas, and it basically worked its way through the forest planning area as an area that could be designated. That seemed to be where the public support was.

Senator BAUCUS. But what about the snowmobile use?

Mr. SHRANK. There were a number of conflicts with each one of the areas, and that was our best shot at resolution of all the conflicts.

Senator BAUCUS. So what you are saying: The wilderness values sufficiently outweigh other potential conflicts and that is the reason why the Forest Service recommended wilderness designation?

Mr. SHRANK. We said that at that time.

Senator BAUCUS. Are you saying that at this time?

Mr. SHRANK. It is still our recommendation. Our recommendation is Ten Lakes be designated wilderness.

Senator BAUCUS. John, it is my understanding that ASARCO earlier did support the Accords; is that correct?

Mr. BALLA. Yes.

Senator BAUCUS. But now you do not; is that correct?

Mr. BALLA. I think what we need to do—it is clear from the vote which was in Lincoln County that there is a lot of opposition, local opposition to the Accords. I think what we need to do is make some adjustments in these boundaries and things so that there is wider acceptance to them.

Senator BAUCUS. Did the Accords people negotiate with ASARCO?

Mr. BALLA. Yes.

Senator BAUCUS. Or did you negotiate with them?

Mr. BALLA. I did the negotiating, that is correct.

Senator BAUCUS. And you did reach an accommodation?

Mr. BALLA. We did reach an a accommodation. The negotiations were done in a very comfortable manner. They were very professional and they were site specific.

Senator BAUCUS. You mentioned that you are concerned, I guess, that acreage which is not classified as wilderness might in the future be wilderness and, therefore, make it more difficult for the mining industry; is that correct?

Mr. BALLA. That is correct. The reason here, when you look at the long lead time that it takes us to explore an area to see what the mineral potential of the area really is and then to develop it, it is a very long time. And so our concern is the fact that if we end up having an area that is for a relatively short time, let us say 5 years into the next land management plan up there, that, from our perspective, is an inadequate length of time for us to truly evaluate mineral potential.

Senator BAUCUS. You understand under the law, the Forest Service is not required to manage nonwilderness acreage as if it is wilderness. Which is to say in all probability it will be managed in a nonwilderness way.

Mr. BALLA. That is right, sure.

Senator BAUCUS. Which would make it more difficult at a subsequent date to be classified as wilderness.

Mr. BALLA. We can explore in an area whether it is being proposed for wilderness or not for wilderness, for multiple use, and we have done it, we have been successful in it, and I am sure that in the future we would continue to do that.

Senator BAUCUS. Jerry, would the Forest Service wilderness boundary, recommended boundary of Treasure Mountain impede your operation? I am talking about the Forest Service recommendation that a part of the Treasure Mountain area be wilderness. Would that limit your development, proposed development?

Mr. OKONSKI. As it stands right now, yes, it would. There is a portion of the Forest Service recommended addition, I think it is probably in the Cabinet Addition. It would affect the upper half, the critical upper half of the proposal.

Senator BAUCUS. So the Treasure Mountain acreage in both S. 72 and the Forest Service, in either case, or in both cases, it would limit your development; is that correct.

Mr. OKONSKI. Yes.

Senator BAUCUS. So you are asking for either a window of opportunity or boundary changes or something.

Mr. OKONSKI. Yes, we would like a boundary change, is what we would like.

Senator BAUCUS. So you prefer that rather than the window of opportunity proposal.

Mr. OKONSKI. Well, the boundary change and so we have a clear channel, so we know what is out there, and then a window of op-

portunity for the development. It can always go back in with the other designation if it does not prove up.

Senator BAUCUS. Thank you, Mr. Chairman.

Senator BINGAMAN. Thank you.

Senator Burns.

Senator BURNS. John, you say you negotiated with—was part of the scenario and part of the putting together of the Accords. When you all were negotiating, were there any other miners included in that?

Mr. BALLA. No, there were not. Not while I was there. There may have been elsewhere but not while I was there.

Senator BURNS. Would you have to agree that there were some small miners, then, left out of that process?

Mr. BALLA. There would appear to be. I would say, Conrad, that I would not want to be negotiating with, for example, my friends in the environmental community with another mining company who is my competitor there with me.

Senator BURNS. Sometimes competitors do have a hard time sitting down with one another.

Well, then, basically yes or no, do you support S. 72?

Mr. BALLA. We would like to see it resolved. We would be taken care of if it were enacted. We would like to see it, however, have a broader acceptance than it apparently so does.

Senator BURNS. I do not know whether I want to show up at the association meeting after all of that.

Dave, I have got just a couple of questions for you. I assumed from your answer to Senator Baucus that you are not amenable to any changes on the southern part of those Cabinets because of those claims down there. Did I hear you right? Or correct me if I am wrong.

Mr. ERICKSON. No, I do not think you heard me right. That was not my intention. Changes can be made, yes, but I think we need to take into consideration whether or not anything is happening there mineral-wise or not.

Senator BURNS. How long do you think it would take us to get that done?

Mr. ERICKSON. Probably 5 million years.

[Laughter.]

Senator BURNS. I do not think you and I have that long. I guess that is a good answer. I do not know how to handle that. Maybe Mike Bader can handle that.

Anyway, I think maybe it would take us quite awhile before we would come to any conclusion down there and that is why I want to make that very clear in my notes.

Also, David, do you have any problem with the harvesting of those damaged trees up there by the mountain pine beetle in the Yak?

Mr. ERICKSON. I guess it would have to be looked at as a site specific basis. Generally, no, we do not have a problem with harvesting that. In fact, members of our organization who have been involved in the act—now, we are talking about a different issue, it is not wilderness anymore.

Senator BURNS. I know we are.

44-796 0 - 91 - 4

Mr. ERICKSON. Have made proposals to help the Forest Service and industry get some of that dead and dying lodgepole out of there. It still has to be approved by the Forest Service and we understand they do not like the proposal or for some reason it is tied up. We have got ways that we think it can be taken out.

Senator BURNS. I would say, Jerry, your ski area up there, I would be very leery of windows of opportunities. They have not worked in the past, by the way. They do not have a good track record. That is just a personal observation when you go and look at other areas. But I thank you all for coming. I appreciate your statements, and as we move our way through this process, we will be watching very closely. Thank you very much.

Senator BINGAMAN. Senator Craig.

Senator CRAIG. Thank you very much, Mr. Chairman.

John, in your discussions with the groups and the negotiations that went forward, were you primarily discussing known and anticipated activities of your particular company versus future opportunity or the unknown?

Mr. BALLA. We were discussing the specific opportunities that we were aware of that we are working on. We did not go into a discussion of the unknown for several other reasons, I guess; but we restricted our comments to the present and to what we have found in the exploration we have done on those areas, and then looked at it in that light. But we did not look into the future.

Senator CRAIG. Mike, in your testimony, you spoke of a recovery approach, and you referenced the Redwood National Park Expansion Act of 1978. I anticipate you understand that was in total, not large, part footed by the taxpayers of this country.

Mr. BADER. Yes, I understand that, and I also understand the road building and the clear-cutting is also paid for by the taxpayers.

[Applause.]

Senator BINGAMAN. Let me say once again, if people will try to withhold their enthusiasm. I think we've been doing a good job so far.

Senator CRAIG. Thank you, Mr. Chairman.

We will not debate road building here today, but you also understand how that is allocated and how it is involved in sales and all of the expenditure involved?

Mr. BADER. Yes, I am familiar with that process, and I reference the Redwood Park Expansion Act not as the blueprint for the way we would necessarily want to do this, but that it has been done before and it has been funded by Congress and that it did put people to work in areas where there would not be any other alternative employment for at least a hundred years or longer before there was timber there again.

Senator CRAIG. I only mention that, Mr. Chairman, because I do not know that the final price tag is in yet on that particular activity. It was ominously expensive and, of course, the anticipation that you would turn productive jobs into curio shop operators and you would maintain a vitality to the economy of the region based on what it was is still very much in dispute today. And that is, of course, my concern as it relates to those kind of dislocations. You

know, we have to anticipate some of that with changes in land use allocation. I do not argue that at all.

Mr. Chairman, I have no further comments or questions to this group.

Senator BINGAMAN. Let me ask Mr. ERICKSON. An issue that we discussed a little with the previous panel was the question of whether the status quo will, in fact, result in what one of the witnesses referred to as substantial declining timber harvest for the foreseeable future. And that S. 72 or some wilderness legislation like it, would in fact, increase the timber harvest and increase the amount of timber available for sale.

I gather from your statements you agree with that?

Mr. ERICKSON. That is true.

Senator BINGAMAN. You still support going forward with legislation. It is your position that we should have more timber for sale?

Mr. ERICKSON. Yeah, I believe that is true. Now, the other side of that coin is, we need more wilderness also. I do not propose to have all one or the other, and I want to make that real clear.

Senator BINGAMAN. You think you can do both: You can have more timber available for sale and also designate additional wilderness?

Mr. ERICKSON. Absolutely.

Senator BINGAMAN. Senator Baucus.

Senator BAUCUS. Thank you, Mr. Chairman. In the earlier panel, the question of the right of a mining claim to have an access in the wilderness area. The question of patented claims versus nonpatented and whether it is noticed up only, whether it is proved up. Unpatented claim. I would just like to read the statute that applies. That is, the statute that indicates the degree to which a valid existing mining claim in the wilderness area does or does not have the right of access. This is in the wilderness act, and it is section V of the wilderness act, and I will just read one sentence.

It says, "In cases where valid mining claims or other valid occupancies are wholly within the designated National Forest Wilderness Area, the Secretary of Agriculture shall, by reason of regulations consistent with the preservation of the area wilderness, permit any ingress and egress to such surrounding areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated."

I grant you that is not clear, but I think the intent is clear. That is, consistent with the wilderness act, all mining claims must be permitted ingress and egress to such surrounding areas. That is, through the wilderness, to get to the claim which have been or are being customarily enjoyed with respect to other such areas.

Now, I guess the real question here is: What are those regulations and the degree to which those regulations do or do not comply with the spirit of this statute? But the point is, the roads, as I read this, are still permitted. Motorized access still is permitted to both a patented and unpatented claim so long as the unpatented claim is not just noticed up but is an unpatented claim that has been worked up that would satisfy that category.

Senator BINGAMAN. Are there any other questions from either Senator? If not, we will dismiss this panel. I appreciate your testi-

mony very much. We will take a 10-minute break and meet again at about 10:30. The hearing is in recess.

[Recess.]

Senator BINGAMAN. The subcommittee will come back to order.

Senator CRAIG. Mr. Chairman, before you conclude this process today, because I do not think I will have that opportunity at the conclusion, I really thank everyone for the obvious restraint and composure that has been held here today and the kind of input that is coming. It is very rewarding.

Like everyone on this panel, I have attended a lot of wilderness hearings and some have been a theater and some have been productive. I believe this to be a productive one. I really appreciate the way it has been handled. I say just in closing, the devil made me do it, that I understand the reason the grizzly bear did not show up here today is that bear-hunting is in season in Montana.

Senator BINGAMAN. Thank you very much. For our final panel, let us start with Jo Brunner from Helena.

STATEMENT OF JO BRUNNER, EXECUTIVE SECRETARY, MONTANA WATER RESOURCES ASSOCIATION, HELENA, MT

Ms. BRUNNER. Senator Bingaman, Senator Craig, for your information, I am the executive secretary of the Montana Water Resources Association. I speak in that capacity today. Our association and the other organizations and individuals I represent are appreciative of your attendance at this hearing. We welcome you to the great State of Montana.

Senator Baucus and Senator Burns, we appreciate your desire to hold this hearing in Montana. I am speaking also for the Montana Farm Bureau, the Montana Stockgrowers, the Montana Cattle Women, Montana Grange, Montana Women Involved in Farm Economics and for Grassroots for Multiple Use.

Your packet contains letters of confirmation of my testimony from those mentioned and from local chapters of the State organizations and individuals. The second stapled packet is from the dam owners and the water users in the Bitterroot who feel so strongly against including facilities within a wilderness, that they needed the opportunity to offer this information to you.

My testimony will address water issues only. You will also find that some of the organizations and local groups and individuals have submitted opposition to any further wilderness designations within Montana and other issues important to them.

Water was not specifically addressed in the original draft of the Accord, nor were any of the statewide organizations who represent the historic water right holders of Montana asked to participate in those negotiations.

Had we participated in those discussions, we would have asked the following points be included:

Montana has the sovereign right to adjudicate her water, including Federal claims. Our people are strong advocates of State water rights. We see no reason to vacate that right for Federal claims. The premises that since the wilderness proposals so far are headwaters, what is the difference if it is Federal reservations can be turned around. What is the difference then to the Federal Govern-

ment if the claims are processed through State law? We are better protected by State law than by Federal law.

No. 2, any wilderness designations to ensure that water language be uniform should not be piecemeal. Water language must be uniform. We cannot have water in one wilderness defined in one manner and different in another. And to be uniform, we cannot go at it piecemeal. Any language within a wilderness bill will set a precedent should there be further attempts to provide more wilderness. We strongly oppose dividing the wilderness proposals up into small bites. Conquer and divide is the name of that game.

No. 3, all existing storage facilities, easements and delivery systems will be automatically excluded from wilderness proposals.

No. 4, all private rights, including pumping and other diversions for irrigation, stock watering, storage and so forth, will be automatically excluded from wilderness proposals.

While the Colorado Wilderness bill S. 1027 does not deny the private water rights, delivery systems and so on, it does include language that would be beneficial for our existing storage and delivery systems held hostage by rules and regulations in opposition to the 1964 wilderness act. We are expected now to maintain our facilities with rules and regulations imposed in 1991, forcing us to use 1964 and earlier methods, or using present methods so costly as to put owners out of business. Because of those problems, we request the automatic exclusion of existing facilities and private rights.

No. 5, any negotiations for wilderness will include seats for the historic water right holders and the State of Montana. Our people represent the majority of the water right holders in Montana. It is inconceivable that negotiations were held or will be held in the future without even considering our interests or the State of Montana.

I have to disagree with Mr. Elser who spoke for the Montana Outfitters and Guides Association when he said land is the most important one of our resources. Land is nothing without water. We would not have wilderness, we would not have crops, we would not have cities, we would have nothing without water.

No. 6, snotell sites and ancillary facilities will be allowed, including necessary and applicable maintenance access.

It is highly important to continue the snotell sites and their maintenance. Snotell sites are necessary for many segments of our economy, agriculture, impoundments, recreation. Snotell sites should not be related to other proposals for structures within the wilderness. Many of these were constructed and in use prior to the 1964 act and requests for new types of structures ought not to compare.

No. 7, reservation for water within defined wildernesses will not be transferable to another location.

We hear often that this is a projection that will never happen. We have been told that before. It will never happen when it concerns wilderness, and is one of the reasons we advocate State water rights. It is our understanding that a Federal reservation allowed by the State must adhere to State statutes, and that is not true of a federally granted reservation.

The language in Senator Wirth and Senator Brown's Colorado wilderness bill contains water language very similar to what our

people would expect to be adopted should wilderness be designated in Montana.

Each of the seven issues discussed here were agreed upon by those included in the testimony. All of the organizations and individuals included in this testimony oppose the water language of S. 72 as being in direct contrast of the best interests of Montana water.

Senator, that concludes my testimony. However, I would like to invite you on behalf of the water users of the Bitterroot Valley to go on a pack trip back into the wilderness on August 20, 21 and 22, at our expense. You will soon receive written information for that. Thank you very much.

Senator BINGAMAN. I appreciate that kind invitation. I have got to tell you that would violate all our rules of ethics in the Senate.

Ms. BRUNNER. We will let you pay for it, if you want.

Senator BINGAMAN. But we appreciate the good thought, and obviously a pack trip would be great.

Michael Scott with the Wilderness Society is next.

STATEMENT OF MICHAEL D. SCOTT, THE WILDERNESS SOCIETY, BOZEMAN, MT

Mr. SCOTT. Mr. Chairman, members of the subcommittee, my name is Michael Scott. I am here today representing The Wilderness Society, a half-century old-conservation organization with 400,000 members nationwide and some 2,000 here in Montana. We are pleased to be here to testify in S. 72, a precedent-setting series of wilderness agreements between mill workers and conservationists in Kootenai and Lolo National Forests. I would like to focus my remarks on two subjects of statewide and national interests: Water rights and release language.

But before I do, I would like to comment on the unique nature of the wilderness compromises forged on the Kootenai and Lolo wilderness. I have had the opportunity to work on wilderness bills. The Kootenai-Lolo Accords represents a new solution to an old dispute. How often we hear of the deep conflict between timber interests and conservationists over wilderness. On these two forests, timber and conservation combatants have put aside the rhetoric and polarization, rolled up their sleeves and sought compromise. This is something that in many other States would be virtually impossible.

It is not a compromise designed to include all interests. That type of private effort would have collapsed under its own weight. Rather it is a proposal to put together with a civic-mindedness lacking this day. The Society commends the proposal to the subcommittee and hopes it will recognize its significance not only for Montana but the Nation.

I note the issue that came up earlier on the Great Burn on mining and point out a couple things on those mining claims. First, the Forest Service gave great consideration to the wilderness boundaries on the Great Burn when it included the mining claims that Mr. Kulawinski asked to be excluded.

Second, the wilderness act as Senator Baucus noted recognizes that if those claims are a valid right, they will have the opportuni-

ty to be developed. And thirdly, I would like to note that the recommendation of the Forest Service has been on the books since 1979 that that area be wilderness. It is now 1991, which is a fairly significant amount of time for those claims to have been proven up in the interim.

Now, let me turn to water rights. Water is an integral element of the natural conditions found in the wilderness. Imagine for a minute a wilderness where a lake is drained or a stream is dried up. Such a situation would represent a fundamental loss to a wilderness area.

Water rights really have been a major part of the wilderness debate since 1908, on when the Supreme Court developed the so-called Winters Doctrine that reserved water for purposes that Congress—or implied or for express purposes Congress set aside, such as national parks, wildlife refuges, and wilderness areas. That 1908 doctrine was pretty much in effect until 1988 when then Attorney General Meese adopted a Solicitor's opinion that said it was the opinion of the United States that wilderness areas do not have a reserved water right. In other words, that means that today, unless Congress acts affirmatively to grant a water right to wilderness, there will be no water right for wilderness areas. Here in Montana, that is creating a sort of double system, a dual system pre-1988 wilderness areas presumably having rights opposed to post-1988 not having rights.

Unfortunately, S. 72 does not affirmatively reserve water for wilderness. The language of the bill pretty much equivocates on the issue of water, stating, "Nothing in this act is intended to affect the determination of expressed or implied water rights as determined under other laws."

Because there is no express reservation, the Forest Service will not seek a reservation because it has been directed by the Attorney General not to. I might note that the reservation that we are talking about is not one which would shoulder aside existing water rights holders. It is a reservation as of the date of enactment of the wilderness area. In this case, perhaps 1991.

It is one that would just assure the Federal Government an opportunity to stand in line with other water rights holders, not shoulder its way ahead, not be pushed to the rear. Those that would seek no water right for wilderness essentially are trying to elbow out people—the Federal Government from the water system.

Finally, I would note that the Federal water right for wilderness is adjudicated by State courts. In other words, the State of Montana would have complete control over determining what the quantity of the right would be and what its point in time would be.

I also might note that The Wilderness Society, along with other conservation organizations, initiated a process of compromise, of attempted compromise, with the water community last year and found out several interesting things. First, we share a similar interest as does, I suspect, the State of Idaho.

When Eli County Commissioner Kenneth Hahn said, why do we not divert the water from the Snake River over into the Colorado Water Basin, I think Idaho acted appropriately, as did we. We found we had an interest in getting high mountain water down to the valleys for agricultural use and to protect the water in the high

valleys and to keep the valley from being appropriated over divides to far off cities like Los Angeles or San Francisco.

Second, we found that the Kootenai and Lolo Forest areas were headwaters areas and, therefore, water did not flow through them and we were not going to encounter the kinds of problems that we would with future downstream areas.

Finally, we uncovered a glitch in State water law which would have made it difficult for Montana to properly quantify and administer a water right, a wilderness water right. I am happy to announce that through an effort of a bipartisan group of State legislators supported by Governor Stephens, we have remedied this problem and adjusted it during the legislative session. The State cannot have full control of any water right that Congress creates. We attempted to get together with the water interests again this year. We figured, given the common base we seemed to have, we could agree on language recognizing the water rights of the headwaters area.

Unfortunately, while we were ready to meet, it now appears that the water interests have fallen back to a position of opposition to any wilderness water right. I say unfortunately, because when we sat down to look at the facts, we found a lot to agree on. Now it seems we will be engaged in a philosophical debate, one not based on fact.

The Society hopes the committee will look beyond the rhetoric it will hear on water rights and examine the facts. These facts speak plainly and loudly. A headwaters and wilderness water right serve the interests of all. It is also consistent, I might add, with the actions of Congress over the last several years and the passage of the Arizona wilderness act, the Nevada wilderness act which has, while recognizing the peculiarities of one State water law system from another, a reserve water explicitly for wilderness areas.

Now, let me turn for a moment to release language. Senator Baucus, you asked a little earlier how well is release language working. I note that the last estimate that was given on that was done by the Chief of the Forest Service about 3 years ago in testimony before the House Agricultural Committee where he noted that of released wilderness areas as of, I think it was 3 or 4 years ago, some 2.3 billion board feet of timber had been harvested since 1980 when the release compromise that was in 34 separate wilderness bills were passed at the time, 33.

The release language contained in S. 72 is a refinement of the standard language crafted in the 1980's. The tentative changes in S. 72 were to take into account the unique nature of the Kootenai-Lolo agreements and to recognize the wilderness studies contained in the forest plans of Montana.

The language in S. 72 was crafted over a year ago. In the intervening time people have reviewed it thoroughly. Several lawyers, familiar with release language, have expressed a concern that the language in S. 72 could be interpreted as insulating from legal challenge the allocation of land to different prescriptions within a forest plan.

As one who participated in the negotiations that crafted it, it was clear that was not the intention of the language of S. 72. The release language in S. 72 intends to insulate the wilderness recom-

mendation concerned in the forest plan, but because of the language that we chose to use in that, there is an ambiguity. We were recommending that the committee—that that language be clarified and we did send on to your subcommittee staff some language that would retain the intent of S. 72, which is to update the language taking into account forest plans, but make it clear that the Congress is not insulated from legal challenge, the allocation of land to different prescriptions within the forest plan, whether it be recreation or timber or wildlife or things like that, but merely do what the original release language intended to do, which is to insulate the wilderness recommendation to prevent so-called double dipping.

In other words, pass a wilderness bill, that someone could not come in and invoke, as you put it *California* v. *Block*, as you mentioned earlier, and stop development of other release forestlands on the fact that it did not adequately consider the recommendation. So what we are trying to do is clarify the language to make that sure that that intent is carried forward.

Mr. Chairman, that concludes my testimony. I would be happy to answer any questions.

[The prepared statement of Mr. Scott follows:]

PREPARED STATEMENT OF MICHAEL D. SCOTT, THE WILDERNESS SOCIETY, BOZEMAN, MT

Mr. Chairman, members of the subcommittee, my name is Michael Scott. I am here today representing The Wilderness Society, a half-century old national conservation organization with 400,000 members nationwide and some 2,000 here in Montana. The society is pleased to be here today to testify on S. 72, a bill by Senator Max Baucus which would make law a precedent-setting series of wilderness agreements between mill workers and conservationists on the Kootenai and Lolo National Forests.

Others here today have testified to the merits of the areas and boundaries proposed in S. 72. I would like to focus my remarks on two subjects of statewide and national interest—water rights and release language.

Before I turn to water rights and release I would like to comment on the unique nature of the wilderness compromises forged on the Kootenai and Lolo Forests. I have had the opportunity to work on wilderness bills throughout the country. The Kootenai-Lolo Accords represents a new solution to an old dispute. Often we hear of the deep conflict between timber interests and conservationists over wilderness. On these two forests timber and conservation combatants have put aside the rhetoric and polarization, rolled up their sleeves, and sought compromise. This is something that in many other states would be virtually impossible.

It is not a compromise designed to have included all interests. That type of private effort would have collapsed under its own weight. Rather it is a proposal put together with a civic-mindedness lacking these days. The Society commends this proposal to the Subcommittee and hopes it will recognize its significance not just for Montana but the nation.

WATER RIGHTS

The idea that land reserved by Congress, for a purpose such as wilderness, also has sufficient water reserved implicitly to meet the purposes of the reservation has been firmly entrenched in legal precedent established by the Supreme Court early this century in *United States* v. *Winters* (207 U.S. 564 (1908)).

A wilderness area is a reservation made by Congress for the purpose of "preserv[ing] its natural conditions . . ." (Sec. 2(c), Wilderness Act of 1964). Water is an integral element of the natural conditions found in a wilderness. Imagine for a moment a wilderness where a lake is drained or a stream dried up. Such a situation would represent a fundamental loss to a wilderness area.

In 1988 the Solicitor of the Interior issued an opinion, interpreting the legislative history of the Wilderness Act, that Congress did not intend to reserve water for wilderness. This opinion was adopted by former Attorney General Meese as the policy of the federal government. Federal agencies were directed not to claim water rights

for wilderness in stream adjudications involving waters flowing from, or through, such areas.

This opinion flies in the face of long-standing precedent and former Solicitors' opinions. However, it now means that if we are to insure newly created wilderness areas will have the right to claim water in stream adjudications the Congress must affirmatively recognize a wilderness water right.

Unfortunately S. 72 does not do so. The language of the bill equivocates on the issue of water, stating "Nothing in this Act is intended to affect the determination of expressed or implied reserved water rights as determined under other laws; . . ." Because there is no express reservation of water, nor is there any direction to the Forest Service to seek a water right in estate court, the Forest Service will abide by the opinion affirmed by former Attorney General Meese. That policy directs the Forest Service to not seek any right for any wilderness area created by S. 72.

We urge the Committee to amend S. 72 to include water rights language similar to that adopted by the Congress in last year's Arizona Wilderness Act. The language in that Act explicitly recognized a wilderness water right and directed the federal land management agencies to file for the right expeditiously.

I might note that here in Montana, The Wilderness Society, along with other conservation organizations, met preliminarily with agricultural and ranching interests several times during 1990 to discuss water rights. We found out several interesting things.

First, we shared a common interest in our desire to protect Montana's waters from expropriation by other states now finding themselves water-short. Users of water wanted to be assured that water which arises high in Montana's spectacular wild places would continue to flow pure and dependably into the valley bottoms. They did not want water diverted across divides to be used in urban areas far away.

Similarly, conservationists were interested in protecting the lake levels and stream flows in our mountain wilderness'. We wanted the water to flow as it always has—from the high country to the valleys and into our great rivers. An explicit federal water right can provide the best protection against out-of-state expropriation of water.

Second, we found that the areas being considered in the Kootenai and Lolo Forests for wilderness were all headwaters areas and thus did not pose the kind of problems we might encounter in future years when we deal with downstream wilderness areas. This is because headwaters areas have few, if any, water rights in them. For instance, when the state of Montana analyzed the 1988 Montana wilderness bill, which was subsequently vetoed, they found not one water right within the many new wilderness areas, and additions to existing areas, that bill would have created. Given the nature of the Kootenai and Lolo Forest areas we would not expect to find water conflicts with S. 72.

Finally we uncovered a glitch in state water law which would have made it difficult for Montana to properly quantify and administer a wilderness water right. I am happy to announce that through the efforts of a bipartisan group of state legislators, supported by Governor Stephens, we have remedied this problem in the just-adjourned legislative session. The state now can have full control of any water right the Congress creates.

We have attempted to get together with water interests again this year. We figured, given the common base we seemed to have, we could agree on language recognizing a water right for headwaters areas. Unfortunately, while we were ready to meet, it now appears the water interests have fallen back to a position of opposition to any wilderness water right. I say unfortunately, because when we sat down and looked at the facts we found a lot to agree on. Now it seems that we will be engaged in a philosophical debate, one not based on fact.

The Society hopes the Committee will look beyond the rhetoric it will hear on water rights and examine the facts. These facts speak plainly and loudly. A headwaters wilderness water right serves the interests of all. It assures clean, dependable flows and protects Montana's water from other states. A federal water right protects the fish and wildlife in wilderness. Conflicts are minimal, or non-existent. We urge the Committee to adopt strong water rights language.

RELEASE LANGUAGE

The release language contained in S. 72 is a refinement of the standard language crafted in the early 1980's. The intent of the changes in S. 72 was to take into account the unique nature of the Kootenai-Lolo agreements and to recognize the wilderness studies contained in forest plans in Montana. It was not the intent that the changes set a precedent for other wilderness bills.

The language in S. 72 was crafted over a year ago. In the intervening time people have reviewed it thoroughly. On the basis of that review, and a recent federal court case, certain ambiguities have been identified which we overlooked in the press of drafting the language during the last congressional session. Thus, we recommend some refinements to the language which respond to these concerns over ambiguity while maintaining the intent of the language in S. 72.

Several lawyers, familiar with release language, have expressed a concern that the language in S. 72 could be interpreted as insulating from legal challenge the allocation of land to different prescriptions within a forest plan.

This was clearly not the intent of the language in S. 72. The release compromise worked out in the early 1980's was designed to prevent lawsuits against development of roadless lands, subsequent to a wilderness bill, on the basis of the impact of such development on the suitability of the area for wilderness. Thus, in a way, it was designed to prevent double-dipping. Once a wilderness bill was passed, a person could not challenge development in a released roadless area on the basis that such development would impair the wilderness suitability of the area for a forest plan cycle.

This language was needed because a federal court in California had found the environmental document, called RARE II, upon which the Forest Service based its wilderness recommendations to be invalid. Thus anyone could effectively stop development in a roadless area, even post-wilderness bill, by citing the RARE II court case in court.

Since Montana has been debating its wilderness future for over a decade the Forest Service re-studied all its roadless lands in forest plans as required by law. S. 72 recognizes this changed circumstance by insulating the roadless recommendation in the Kootenai and Lolo forest plans from legal challenge, rather than the RARE II EIS.

Herein lies the concern the lawyers have expressed. The release language in S. 72 insulates ". . . decisions allocating lands to wilderness and non-wilderness categories . . .". Not only do forest plans now make the wilderness recommendation, they also decide how to allocate lands, be they roaded or roadless, to different categories, or prescriptions. These prescriptions are the zones by which the Forest Service makes it future decisions, such as where to cut timber, where to build campgrounds, etc.

Congress never intended to reach into the forest planning process in its crafting of release language. Such a step goes far beyond what was put together in the early 1980's and would move release language from merely dealing with wilderness recommendations to dealing with forest planning management decisions.

As one who participated in the development of this current language last year, I can tell you this was not the intent of any of the crafters of the language in S. 72. But this interpretation raises a certain ambiguity in the meaning of the language contained in S. 72 which should be rectified.

We have attached suggested changes to S. 72 which will clear up the ambiguities we have identified. We urge the Subcommittee to adopt them.

CONCLUSION

The Society urges the Subcommittee to give full consideration to the wilderness proposals in S. 72. They are the product of a hardworking coalition of millworkers and conservationists who, in a spirit our democratic process should be proud of, put together a wilderness solution for the Kootenai and Lolo National Forests.

S. 72 must be amended, however, to include a strong explicit federal wilderness water right. Such a right will work to protect the wilderness areas S. 72 would create and would protect Montana's water from expropriation by other states. It would also assure downstream appropriators of water of clean dependable supplies.

Finally, the release provisions of S. 72 should be tightened up, as we suggest in the attached language, to remove any ambiguity as to the meaning of the section. It should be clear that the release language in S. 72 is designed only to insulate from legal challenge the wilderness recommendations in forest plans.

Thank you for the opportunity to testify. I would be happy to answer any questions.

Senator BINGAMAN. Thank you very much.

The next witness is Arnold Bolle representing Forever Wild Endowment of Montana. Thank you for being here.

STATEMENT OF ARNOLD W. BOLLE, ON BEHALF OF FOREVER WILD ENDOWMENT OF MONTANA, MISSOULA, MT

Mr. BOLLE. Thank you.

Senator BINGAMAN. Could you pull that microphone up there? Thank you.

Mr. BOLLE. I am Arnold Bolle. I am introduced here as the chairman of the Forever Wild Endowment of Montana, a long established environmental organization. I am a retired Dean of the Forestry at the University of Montana. I retired 13 years ago—hopefully known as part of Montana's old growth.

I still do some lecturing at the university and appear on graduate committees and so forth. But since retirement, I have been increasingly involved in various environmental organizations, and I am presently on the board of about 11 of them at last count, including The Wilderness Society. I am on the Governor's Council, and I share that with a member from your State, Senator Bingaman, Jim Bauka, and from Idaho, Ernie Day—well known to both of you, I am sure.

I am strongly in support of S. 72. I want you to note the date of my retirement in 1978 seems to be the beginning of the stalemate over the statewide Montana wilderness bill, and an awful lot of my time, as well as that of others, has been devoted to this particular stalemate. When we first got the wilderness bill in 1964, that included several wilderness areas, of course, but from then on for several years, almost a decade, why, the wildernesses were established, recommended by the Forest Service, and approved by Congress. It was more or less of an in-house operation.

But in the 1970's, why, something happened here in Montana, and the Scapegoat Wilderness was proposed that the Forest Service did not recommend, but the local citizens got together and went directly to Congress and that established a new pattern which has been followed almost ever since. Forest Service recommendations, of course, are considered.

Now, the reason I like S. 72 is that it finally breaks the stalemate that has taken an awful lot of time, has made no progress, and has just kept the State polarized unwilling to come to agreement. Because in the Accords, people have done what we should have been doing all the time in talking to each other, listening to each other and trying to work out solutions that we could agree to.

Now, this happened, amazingly, starting in Libby, which is a hearty timber industry, in fact, and this is perhaps good reason for it to start there because people could then clearly disagree with each other to start with but still talk and finally reach an agreement. This spread to the Lolo from that area and those of us who have seen it operate and have had some involvement with it, I think consider it the first real breakthrough to our stalemate.

It is interesting that in all the arguments on the statewide bill, the reason it came to a total stalemate was because we were not arguing the issues. We were talking about rhetorical arguments about the maximum or the total number of acres there should be in the State without talking about the areas or boundaries.

We were talking about jobs versus wilderness and so one of them replaced the other, and the fact that it was something that was

only for the rich easterners, not used by Montanans, and a whole lot of other nonsense of that type. So it is amazing how these arguments largely settled and made to look ridiculous as they were through these people getting together and talking.

The fact that we can have both wilderness and timber and mining, other industrial activity, and still maintain a considerable amount of wilderness, I think, has become very clear now, and it is not a duplication or replacement of one for the other. It is interesting that in the Missoula area, the county commissioners, the city council, others, strongly supported the Accords and here the proposal was protested by environmentalists who figured that it was not going really far enough.

So it seems to me that we are in a position, middle ground, which does not necessarily mean we are always right, but I think the importance is that we have been able to get together and reach an agreement here. I think in doing so, have now set a pattern that can be followed throughout the State. Some people have objected that you cannot use the system. This same thing will not work elsewhere. Of course it will not, because the problems are different. Other people's concerns and interests are different.

But I think the important thing about the Accords is that it sets a pattern for people to get together and talk and listen to each other and try to find out, say, what have we got to deal with, what are our problems and how can we solve that? I think that is the example that this sets which would include it—I mean, which will make it possible as setting an example for other areas in the State. I know that we can do it because even though we argue a lot and spent a great deal of polarization, basically Montanans like each other and respect each others' viewpoints.

Now, in Montana, we have still some outstanding areas of natural beauty that people have enjoyed for a long time that are being threatened and we are gradually using them up, gradually being opened up and losing value. In our discussions, we talk as though these areas have no value of anything and that we should only consider those areas that are not useful for timber or for mining or some other use. If they have no other use, then maybe wilderness is all right. I think we have to recognize that wilderness, itself, has a considerable value, and that when you consider areas where there is competition with wilderness in other areas, I think the relative values of all these areas should be considered.

I lost my place here. The arguments for wilderness are the fact that we could perhaps protect these areas without making them wilderness does not hold very well because elsewhere we have seen the gradual erosion of these areas, and wilderness really is the only means of protecting it at the present time. These areas which are really a part of our national heritage, I think, need to be designated at this point because it is the only insurance we have that they will continue to be protected. That the future generations will have the opportunity of looking at them and examining them again and if there is good reason for changing it, they can do it. If we commit the areas now, there is no longer that opportunity.

It is an interesting argument that has been waxing strongly here that everyone wants to be considered a friend of Montana and that we are all protecting the basic interests of Montana. Committee

will say that we want to continue our ranching and farming and mining and timber and so forth and if we let the wilderness encroach, why, we are going to lose all these things. I think the important thing is that sound reasoning, as it has done in the Kootenai and the Lolo, shows that you can very well have both.

Also interesting is the fact that these two forests represent the majority, about two-thirds, of all the available saw timber remaining on the national forests in all of Montana, just these two forests. So this is a major change, making the decision here.

Now, there was also concern that if we—by doing this, that there might be some of these areas that are not identified as forestlands at the present time, that they might be considered suitable sometime in the future. Well, the outlook for that is not very good and I think the outlook is likely to be in the other direction.

We have to recognize that the forest planning process, which came out of the 1976 act came—was carried out during the period of Watt and Cowley, who was Assistant Secretary of Agriculture, both who believed that the forest could produce much more timber than they had been, and had little sympathy for wilderness. And so the present figures that ended up in the forest plans generally show an ASQ for timber which is above what can be continued indefinitely and results in a considerable shortage for wilderness.

The interesting thing in the vote in Libby, too, is that biased as it was, the two-thirds of the people who voted were asking for more wilderness. However, the majority went for the Forest Service proposal of which the details are not well known.

The future of the possibility of more timber coming from these lands, I would say, is quite remote because the Forest Service regulations are up for renewing right now and they are likely to be stricter than they have in the past, which would mean most likely a reduction rather than an increase.

I think basically the point here is, and the reason that the Accords show us so much promise, in fact, is the fact that they are based on sound factual information. They look at the lands, they look at the boundaries exactly on the land, so they knew precisely what they were talking about and not something just imaginary in the sky. They knew exactly where those suitable timberlands were and where the conflict would be.

They reached their decision on these. They decided after looking at them that which areas they might include which did include a small amount of suitable timberland that perhaps had more value in wilderness. But the fact was that they looked at the facts and discussed the facts and they weighed the facts and came to a decision.

Now, unfortunately, in the activity to discredit this small operation, facts are forgotten. We are right back somehow, we have fallen right back in the pattern that we were using when we were talking about the statewide bill of ignoring the facts, talking about the pies in the sky, talking about the fact that our wilderness is going to put everybody out of work, and so it was—the arguments have largely become quite emotional. So that I think the greatest thing that has come out of this is that I hope in the future we can go forward with this on a factual basis.

Now, these lands, these are public lands. They belong to all of us in Montana and they belong to everybody in the Nation. We all have a right to them and, in fact, they represent a value to all of us and we should all be involved in the decisions to protect them. That is why these decisions are now in the hands of Congress. When the bill was passed before that time, it was up to the discretion of the agency but it was decided that it should be in the hands of Congress, which is the only group that can speak for all of us as a Nation and in whom we rely for sound decisions in the continuing use of these public lands. The votes by the locals, by county commissioners, the city council, are good things to do in expression of local sentiment, but they are no way binding decisions or even considerations in the past.

So I wish you all good luck and I hope that you will proceed from this to a decision and not leave us hanging in mid air for some other charm, and I think we have given the statewide bill every test it should have and more, and hope we do not have to go back to that.

[The prepared statement of Mr. Bolle follows:]

PREPARED STATEMENT OF ARNOLD W. BOLLE, ON BEHALF OF FOREVER WILD ENDOWMENT OF MONTANA, MISSOULA, MT

I thank you for coming out and listening to our problems again. I'm sure that some of you are getting as tired of this as most of us. Perhaps there are those who hope to gain something or just get their pleasure from keeping this issue from resolution, but I think most of us believe this has gone on too long and that it would be a great service to all of us to at least come to an answer here and open the way for more peaceful solution to other areas of Montana and finally the whole state.

Many of us hoped that the Accords reached by citizens talking with each other and listening to each other would be the hope for the future. I firmly believe that it still is, and strongly support Senator Baucus's bill. It offered such a clear breakthrough from the frustrating attempts at achieving a state-wide bill which had stymied us for twelve long years. Some of us were ready to suggest that we go back to the old one-at-a-time approach that had worked well before we got involved in RARE I and II. But the Accords approach makes much more sense.

After the Wilderness Act was passed in 1954, which designated the first wilderness areas in Montana, areas on national forests were added at the recommendation of the Forest Service and approved by Congress. It was an in-house process, all by government action. But that changed nationally by an incident here in Montana. A group of citizens urged protection for the Lincoln back-country, as they called it. The Forest Service decided that it should not be wilderness. The local people disagreed, broadened their support from more citizens, then proposed the area for wilderness to Congress, and Congress acted. Since then very few, if any, wilderness areas are determined purely by the agency. All Montana Wilderness Areas since then have come by citizen action and according to boundaries proposed by them.

The attempts to agree on and pass a state-wide bill were a long and frustrating battle. The battle lines were firmly established, people's minds were made up, and the same tired arguments were batted back and forth. The battle was over total acres, not specific areas and boundaries. The battle cry of anti-wilderness was "jobs or wilderness." The Accords punctured that balloon by getting to the facts which showed that in these two forests which produce two-thirds of the timber from national forests in Montana, only two percent of the land proposed for wilderness was classified as suitable timberland by the Forest Service. The facts prove clearly that Montana national forests can have both timber and wilderness. This fact should delight everyone and make solution easy, but somehow we seem to still be hung up on the old battle-lines.

Those old all-out development interests still want no wilderness and industry given free reign to any and all development and no land protected in its natural state. On the other side are the extremists who would stop all development, shut down all industry, and keep the maximum acreage protected. And both of them believe that "if you ain't fur 'em you're agin 'em." And instead of being willing to come together and work out solutions they've retreated to the old battle lines and

are throwing the same old arguments back and forth, totally ignoring the solution provided by the Accords. In my estimation, you should ignore both of these extremist groups and look to a solution along the line of the Accords.

When the Accords were reached on the Kootenai National Forest, they were greeted warmly by many throughout the state. Those involved were widely admired for sitting down with each other and working out an agreement. The Lolo followed suit. The amazing thing was that this started in Libby, really the timber capital of Montana. This must have come as a severe blow to those who wanted no wilderness. They mobilized their forces, went to great effort and expense, drew for support nationally, and helped by the shutdown of the mill, managed to create considerable confusion and doubt in the area. The small vote in support of the Accords must have been greeted with joy by the anti-forces. But they cannot overlook the fact that two-thirds of those voting voted for MORE wilderness by their strong support of the Forest Service proposal. A few years ago these same people considered the Forest Service alternative as defeat. They can hardly consider it a victory now. Meanwhile, in Missoula, the County Commissioners and the City Council each and separately voted in favor of the Accords. There the vote was protested by the purists. Strangely, the extremists on both sides arrive at the same recommendation: "Don't do anything yet." That is what we've been doing—delaying, waiting, not doing anything yet. That is utterly unsatisfactory. We with that we had something better for you to work on, but that seems to be as far as we can get. And so again it's up to you to solve this. Some argue that the solution of the Accords doesn't fit in other areas. That's right, it doesn't provide the answer but it does provide the pattern that can very well be followed, the pattern of sitting down together, listening to each other, and working out a solution.

Montana is richly endowed with large areas of natural beauty. We have been quite wasteful of them in our development of our land. Our history is a succession of boom and bust, large scale development by outside interests, who scalped the land and left the land scarred. There are those who believe there should be no restriction on development, that no limit should be placed on private activity on any land, that progress depends on accumulation of private wealth from public land. But more recently a greater number of people believe strongly that we need to protect those public values that enrich the lives of all of us. We believe that the federal government has the responsibility to protect those important public lands, our national heritage. And we need to protect them from public activity as well as private. Designating some of these lands as wilderness and part of our national wilderness system is presently the only safeguard available for such protection. Wilderness designation is insurance that these lands will remain as they are until such time as the public decides there is a better use for them. If we don't take action now, our future generations will never be able to make such a decision for themselves.

No one wants to be considered anything but a fried of Montana. People for the West, WETA and others whipping up the anti-wilderness troops in Libby and around the state want to be seen as heroes, saving jobs and income for Montana. But trying to increase the flow of logs for Montana mills is a hopeless cause. The logs aren't there, and the more we whip up log output now the less we will have in the future. The private lands are seriously overcut now, and the pressures that established the present overharvest of public timber are doing serious harm to the future harvest. The ASQ in the forest plans cannot be sustained. Annual harvest is dropping and will continue to drop until it reaches a sustainable level. If we set the ASQ's at the sustainable levels ten or twenty years ago, we would be able to sustain a considerably higher rate of cut than we can now.

The ASQ as well as the proposed areas of wilderness on national forests is a product of the days of Watt and Cowley. They set the figures for timber harvest far too high and the figures for wilderness far too low. We should not be restrained from changing either of those figures to a far saner and sounder level. The timber in the roadless areas will not be available to harvest until the decision on wilderness designation is made, so availability of the timber on those lands depends on your solution here. By solving the issue on these two forests, you start solving the whole problem for Montana. The timber made available is in high, steep country—poor quality timber and expensive to harvest. The possibility of easing forest regulations to somehow increase the acreage of land suitable for harvest is most unlikely. The future regulations will more likely be more restrictive than the present regulations. Economic provisions could easily make a greater share of the timber to be released in Montana uneconomic to 'harvest, since much of it is in Class V.

It is interesting to note that the arguments that these groups are using in opposition to wilderness are heavily emotional. They have no factual basis for the arguments they advance. The basis for the Accords on the other hand is factual, based

on solid fact. They were also made by examining the land firsthand, on the ground. And it is interesting to note the fact that these people in the mills, in the forest, love these lands and enjoy them just as much or even more than the clearest environmentalist. This land belongs to all of us and is there for all of us to use indefinitely.

These lands, these public lands, do belong to all of us in Montana—in the nation. We all have a right to them and should be involved in the decision to protect them. That is why the decisions about these lands are in the hands of Congress. Congress is the only group that can speak for us as a nation and on whom we rely to make sound decisions for the sound and continuing use of this land. The votes by locals, by County Commissioners, by City Council, are good things to do as expressions of local sentiment at the moment, but are in no way binding of decisions or even consideration by Congress.

We thank you for coming out and listening to us. We look to you for deciding what is best for us as well as best for that land in the long run.

Senator BINGAMAN. Thank you very much for that testimony.

Mr. Bruce Vincent with the Communities for a Great Northwest. Please go right ahead.

STATEMENT OF BRUCE A. VINCENT, CHAIRMAN, COMMUNITIES FOR A GREAT NORTHWEST, LIBBY, MT

Mr. VINCENT. Thank you for asking for my testimony at this hearing.

Senator Baucus, 3 years ago, you worked with 3,500 resource workers at a rally in Libby. At that rally we were asked, where have you been. And you challenged us to get active and involved in the debate over our future and let you know how we felt on issues impacting us so that you could better represent us.

We accepted that challenge, and for the last 3 years have formed groups to involve ourselves in the land management process. We have written letters to you, we have phoned you, we talked with you face-to-face, we have petitioned you, and during the last month, voted on the Kootenai Accord Wilderness issue to get our feelings out to you. Today we are trying one more time to let you know how we feel on the letter issue, the Kootenai Accord.

At an informal hearing 1 year ago on this issue, Senator Burns and Senator Baucus admitted that the process of local involvement was a good one but that the Accords team had left some impacted groups out of the Accords discussion and suggested that the Accords team entertain the interests of the other groups to complete the process. Then, within days, legislation based upon the admittedly incomplete process was introduced by Senator Baucus to this subcommittee. That legislation expired without action.

But S. 72 was introduced in January of 1991 with tiny changes from its previous bill and heralded in its introduction by Senator Baucus as a wonderful conclusion to a local process of resolution which enjoys the broad-based support of the whole resource community, even though the other user groups had, through their own wilderness planning proposal, presented a proposal for significantly less acreage than the Accords with an area-by-area breakdown of their concerns. And I have included an area-by-area breakdown of these people's concerns in my testimony.

The groups left out asked the Lincoln County Commission to poll the voters of Lincoln County because they were apparently unable to impress the delegation with their position. Our Commission will report on the results of that poll, but it is clear that the 'some' who

were left out of the process has now been quantified as 86 percent of our county. The Accords are not in fact accords.

It is also clear that the acreage and boundaries as outlined in the Forest Service recommendation for wilderness additions with modifications for snowmobiling in Ten Lakes, boundary adjustments for the Libby Ski Search proposal, and a window of exploration opportunity for mineral activities represents the true accord of the people of Lincoln County.

This voted outcome comes as no surprise to many of us in the wilderness debate because Eastern Montana College and the University of Montana have surveyed statewide opinion on this issue for 10 years, and those surveys are terribly consistent. They say that some Montanans want no additional wilderness, most think we can use a little more, and very few think we can use a lot more. Our county vote validates these very consistent statewide polls and finds the Forest Service recommendation middle ground that people of Montana can live with.

The people of Lincoln County attended the polls as perhaps the best informed public on the wilderness option in America. They knew it was not timber versus wilderness. They began to understand the total complexities of the issue. So important was the issue to the area that waits of up to an hour in lines that ran completely out of the insufficient number of polling buildings did not keep the voters away.

We voted overwhelmingly to reject the Accords for a variety of reasons, including:

A U.S. Geological Survey and Bureau of Mines report—I have included them in my testimony—that indicates that thousands of jobs could be at stake in the mining future of the Kootenai.

We have turned the Accords down because of the impact on motorized recreation in Ten Lakes and Northwest Peak and others that represents more than 80 percent of the recreational use of our forest and a significant portion of the hope for tourism in our future.

We turned it down because of the inclusion of 1.44 billion board feet of suitable and tentatively suitable timber in the Accords area.

We turned it down because our area is plagued with diseased timber and weed infestations and we understand that we cannot fight or control these plagues in wilderness.

We turned it down because we must practice vegetative manipulation for the benefit of big game and our recovering populations of endangered species like grizzly bear and removal of 335,000 acres of land from this management——

[Booing.]

Senator BINGAMAN. Will everybody just allow the witnesses to complete their testimony.

UNIDENTIFIED SPEAKER. This is a public hearing. We want a public hearing after this. At 12, I invite everyone to a public hearing.

UNIDENTIFIED SPEAKER. Shut up.

Senator BINGAMAN. You can have any hearings you want after we have completed this hearing. We have invited these witnesses to come and we would like to hear them.

Mr. VINCENT. Removal of 335,000 acres of land from mismanagement would have an undetermined impact on these values. In fact, we asked U.S. Fish and Wildlife what impact the Accords removal would have on the grizzly bear and their answer was, we do not know.

Because our county is suffering from 26 percent unemployment and an uncertain economic future.

Because there are dozens of management techniques available through the forest planning process that would protect both our forest environment and the economic options of ourselves and our children.

And, finally, we turned it down because the release language of the bill ensures that we will only again be addressing the wilderness option in the next forest planning cycle.

We said yes to the Forest Service recommendation because that position is supported by 15 years of trained professional analysis of the values and uses of our forest and because we have had years of public comment during that planning process.

The Accords team likes to point out that every other State that has passed a wilderness legislation has done it with significantly more acreage than the Forest Service recommendation. We point out that these bills were passed in a pre-spotted owl, pre-grizzly bear, pre-wolf, pre-appeals abuse, pre-litigative suffocation era of the forest land allocation debate. The wilderness option does not exist in a vacuum and times have changed since the mid 1980's.

The question that the people of Lincoln County now ask is: Does Accords process of local resolution of land management issues still enamor the delegation as it did last year? If so, then on the Kootenai we have a true accord in the Forest Service recommendation and request your support.

We further suggest that there is ample evidence in statewide polls and surveys to support the conclusions of the Lincoln County ballot on a statewide level.

A statewide bill based upon the Forest Service recommendation and sufficient release language could truly end the debate. We think with this we could finally draw this chapter of the wilderness debate to a constructive close. It seems clear that the reason the debate has not been concluded is that the previous proposals, including this one, ask for more additional wilderness than most Montanans want.

If the local resolution process no longer seems a viable route, then we must ask why not? We must also ask, what more can we do to convince you that we are constituents with a right to your representation?

Three years ago we were asked, where have you been. Today we say, here we are, and ask, where are you.

The resolution of S. 72 will give us the answer to this question.

Along with my testimony, I have petitions from Local 2581, that is our local millworkers, the workers from within that plant. We have about 320 signatures that state that they are not in support of the Kootenai Accord. I also have letters from other folks out here, and there is one thing I was not sure what to do with. Can you enter a casket into the record? I did not know. I was told by re-

sponsible professionals that I could not, but they have not been a great help up to now.

Senator BINGAMAN. We will be glad to take your petitions and any letters that you have. Does that conclude your testimony?

Mr. VINCENT. That concludes my testimony, thank you.

[The prepared statement of Mr. Vincent follows, additional materials on file:]

June 6,1991

Senator Bingaman
Sub committee on Public Lands, National Parks and Forests
364 Dirksen Senate Office Building
Washington, D.C. 20510

Senator Bingaman,

I would like to offer the attached statement as testimony on S.72, a bill to designate wilderness on the Lolo and Kootenai National Forests. Attachments are referred to in the text of the testimony and will be provided on Monday at the hearing.

Thank You,

Bruce A. Vincent
Chairman
Communities for a Great Northwest

Chairman Bingaman, Senator Baucus, Senator Burns, Senator Craig I would like to thank you for asking for my testimony at this hearing.

Senator Baucus, three years ago you met with 3500 natural resource workers and family members at a rally in Libby. At that rally we were asked "where have you been" and you challenged us to get active and involved in the debate over our future. You challenged us to let you know how we felt on issues impacting us so that you could better represent us.

We accepted that challenge and for three years have formed groups to involve ourselves in the land management process, written letters to you, phoned you, talked with you face to face, petitioned you and, during the past month, voted on the Kootenai Accord wilderness issue to get our feelings out to you. Today we are trying one more time to let you know how we feel on the latter issue - the Kootenai Accord.

At an informal hearing one year ago on this issue Senator Baucus and Senator Burns admitted that the process of local involvement was a good one but that the accords team had left 'some' impacted groups out of the accords discussion and suggested that the accords team entertain the interests of others to complete the process. Then, within days, legislation based upon the admitted-ly incomplete process was introduced by Senator Baucus to this subcommittee. That legislation expired without action.

Acreage and boundaries have continued to be discussed with

BEST AVAILABLE COPY

groups during the past year - but real movement on the part of the accords team has not been a part of the discussions. S. 72 was introduced in January of 1991 with tiny changes from the previous bill and heralded in its introduction by Senator Baucus as a wonderful conclusion to a local process of resolution that enjoyed the broad based support of the whole resource community - even though the other user groups had, through their own Wilderness Planning Committee, presented a proposal for significantly less acreage than the accords with an area by area breakdown of their concerns. (Attached)

Because of the apparent inability to impress the delegation with their position the groups left out asked the Lincoln County Commission to poll the voters of Lincoln County on the Accords issue. Our commission has reported on the results of that vote and it is clear that the 'some' who were left out of the process has now been quantified as 86% of the people of our county. It is also clear that the acreage and boundaries as outlined in the Forest Service Recommendation for wilderness additions (attached) with modification for snowmobiling in the Ten Lakes Area, boundary adjustment for the Libby Ski Search and a window of exploration opportunity for mineral activity represents the true accord of the people of Lincoln County.

This voted outcome comes as no surprise to many of us in the wilderness debate. Eastern Montana college and the University of Montana have surveyed statewide opinion on the wilderness issue for the past ten years and have consistently found that

some Montanans want no additional wilderness, most think we could use a little more, and very few think we could use a lot more. Our county vote validates these very consistent polls and defines the Forest Service Recommendation as middle ground Montanans can agree on.

The people of Lincoln County attended the polls as perhaps the best informed public on the wilderness option in America. So important is this issue to the area that waits of up to an hour in lines that ran completely out of the insufficient number of polling buildings did not keep the voters away.

We voted overwhelmingly to reject the accords for a variety of reasons, including:

- a U.S. Geological Survey report (attached) that indicated that up to 5000 mining jobs could be at stake in the mining future of the Kootenai,
- the impact on motorized recreation which represents more than 80% of the recreational use of our forest and a significant portion of the hope for tourism in our future,
- the inclusion of 1.44 billion board feet of suitable and tentatively suitable timber in the accord areas,
- because our area is plagued with regions of diseased timber and weed infestations and we cannot fight or control these plagues in wilderness,
- because we must practice vegetative manipulation for the benefit of big game and our recovering populations of endangered species and removal of 335,000 acres of forest

land from this management would have an undetermined impact on these values,

- because our county is suffering from 26% unemployment and an uncertain economic future,
- because there are dozens of management techniques available through the forest planning process that protect both our forest environment and the economic options of ourselves and our children
- and, finally, because the release language of the bill insures only that we will again be addressing the wilderness option in the next forest planning cycle.

We said yes to the Forest Service recommendation because that position is supported by 15 years of trained professional analysis of the values and uses of our forest and because we have had years of public comment during that planning process.

The accords team likes to point out that every other state has passed wilderness legislation with significantly more acreage than the forest service recommendation. We point out that these bills were passed in the pre spotted owl, pre grizzly bear, pre wolf, pre appeals abuse, pre litigative suffocation era of the forest land allocation debate. The wilderness option does not exist in a vacuum and times have changed since the mid 1980's.

The question that the people of Lincoln County now ask is does the accords process of local resolution of land management issues still enamor the delegation as it did last year? If so, then on the Kootenai we have a true accord in the Forest Service

Recommendation and request your support. We further suggest that there is ample evidence in statewide polls and surveys to support the conclusions of the Lincoln County ballot on a statewide level.

A statewide bill based upon the Forest Service Recommendation with sufficient release language could finally draw this chapter of the wilderness debate to a constructive close. It seems clear that the reason the debate has not been concluded is that the previous proposals, including S.72, ask for more additional wilderness than most Montanans want.

If the local resolution process no longer seems a viable route then we must ask why not? We must also ask what more can we do to convince you that we are constituents with a right to your representation.

Three years ago we were asked "Where have you been?". Today we can say "here we are!" and ask "where are you?".

The resolution of S.72 will give us the answer to this question.

Senator BINGAMAN. Thank you very much.

Mr. Noel Williams, who is with the Lincoln County Commission. We are very pleased to have you here, Mr. Williams.

STATEMENT OF NOEL E. WILLIAMS, LINCOLN COUNTY COMMISSIONER, LIBBY, MT

Mr. WILLIAMS. Thank you, gentlemen, for allowing us this opportunity to be heard.

My name is Noel Williams, and I am representing here the unanimous position of the Board of Commissioners of Lincoln County. Hopefully reflecting the needs and attitudes as recognized at the local grassroots level.

I need to preface my testimony, however, with a qualification that I am speaking primarily to that portion of S. 72 that addresses the Kootenai National Forest. This forest, gentlemen, encompasses nearly 75 percent of Lincoln County, and 77 percent of this forest is within the boundaries of Lincoln County. I mention this just to illustrate that these two entities are inextricably intertwined. Any major division affecting Kootenai forest managements will also affect the social, economic and cultural fabrics of our county.

Senator Bumper's most welcome letter of invitation noted that you would be most particularly interested in recommendations concerning boundaries proposed in S. 72.

Our recommendation, in a nutshell, is that you give serious consideration only to those areas recommended within the Kootenai Forest plan. These recommendations, based on intensive professional involvement and extensive public involvement, approached area by area and were developed within the parameters outlined by congressional mandate. The additional areas included in S. 72 were reviewed for inclusion in the wilderness system and it was determined through formal process that they were not suitable. Millions were spent developing this plan, and we believe in its validity with a couple of exceptions.

One exception is that portion of Treasure Mountain currently undergoing a ski area feasibility study. Congress has authorized programs to help forest-dependent communities to begin to diversify their local economies. As you can well appreciate, Senator, diversifying a local economy when most of the land base is public domain is easier said than done. The ability to develop Treasure Mountain has potential for enhancing this effort. If it is determined not feasible, we would encourage its inclusion in the wilderness system.

A second exception is in regard to the Ten Lakes Area that we have been hearing so much about. It is generally agreed that this area is characterized by its wilderness qualities, and that those qualities should be cherished and protected. It is generally agreed that there should be no extractive activities in this area, nor any developed recreational facilities. It is also generally agreed by an overwhelming majority in Lincoln County that snowmobiling in this area should continue to be allowed. It has become a traditional and historic use of the area and is considered part of the cultural heritage through several generations of continued use.

The National Environmental Policy Act requires Federal agencies to preserve culture, heritage, and custom. Custom and culture can be defined as a right granted to a locality based on integrated patterns of human behaviors passed to succeeding generations. Thus, we request that if the Ten Lakes Area be included in the wilderness preserve, you should include language to allow snowmobiling use alternatively. This area could well be protected under a different designation, such as a national recreation area.

A third major concern of the people of Lincoln County is whatever lands are proposed for inclusion in the wilderness system, there be some provision for mineral exploration, disposition of existing mineral claims, and some opportunity to determine mineral potential. Here again we are dealing with custom and culture, as well as national interest in resource availability.

We are considering here today a bill that was introduced purportedly as a northwest Montana consensus and has been written to sound as though it is based on agreement conceived in an open public process and perceived by the majority to be a favorable solution. This has been proven to be blatantly untrue in Lincoln County.

In our official Wilderness Alternatives Poll conducted under essentially the same circumstances and criteria as a regular election, nearly 90 percent of the voters chose the Forest Service's recommendation or less to be designated as wilderness. Only slightly more than 10 percent of the electorate voting chose to support the Kootenai Accord recommendation embodied in S. 72. How, gentlemen, can this be considered a breakthrough? How, gentlemen, can this be considered broad-based agreement?

Eighty percent of those voting on the Treasure Mountain exclusion were in favor. Eighty-four percent of those voting on the Ten Lakes snowmobile use were in favor. Eighty-two percent of those voting on the issue to grant some exclusionary window for mineral resources were in favor.

This is consensus. This is accord, and this is compromise. These results are so clear, so decisive, that I will not further belabor them here. We will present additional testimony.

You know, and I know, that in a larger context the issue before us is a continuing erosion of the concept of multiple use management of Federal lands. Unfortunately, there are those who are working hard to limit use of and access to our public lands rather than promoting land management practices that protect and preserve our resources for human use. They want to protect and preserve the land and our resources from human use.

As officials elected to represent our constituents—your constituents also, gentlemen, as American citizens—the Lincoln County Commissioners cannot support an action which is resoundingly perceived to have a major detrimental effect on our local economy, our culture, our customs and our social fabric.

Yes, the Kootenai National Forest belongs to all the people of our Nation. However, Congress has consistently recognized that local stability, local dependencies and local priorities are the backbone of the Federal system and are of first order of importance.

When the Wilderness Act of 1964 was passed, there were few protections for values on or uses of the land. Since that time, there

has been a plethora of land protection statutes that, together, obviate the need for excessive additional wilderness reservation protection. And the people of Lincoln County have demonstrably and emphatically recognized that S. 72 containing three times the acreage recognized by our professional land stewards as suitable for wilderness in the Kootenai is excessive.

Please, Senators, you must exercise moderation in imposing management modes that could shred the historic fabric of our communities. Our communities in Lincoln County are saying to you, almost as a single voice, that it is unwise to commit such a large part of our land to exclusive anti-economic, anti-access, anti-human purpose of Federal wilderness. They are saying to you that we must maintain our natural resource potentials, our human activity potential and our management options in a manner as flexible, accessible, and as producible as is consistent with sound conservation practices.

We have been told and you are being told that we must have Federal wilderness as the only effective means of protecting the land. That it will not adversely affect culture, custom and economies. That it is necessary for wildlife. That there are no economic resources of significance at risk of forfeiture. That there will be no adverse consequences of any kind, and that only benefit will accrue to future generations. None of this, gentlemen, is true.

We respectfully ask you to recognize this dishonesty and proceed with S. 72 only if you embody within it the alternative presented here. It is far more honest, far more inclusive of disparate interests and far more responsive to changing needs and conditions of both nature and humans. Thank you.

[The prepared statement of Mr. Williams follows:]

TESTIMONY

SUBMITTED TO THE

SENATE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

SENATOR DALE BUMPERS, CHAIRMAN

FIELD HEARING ON SENATE BILL 72

JUNE 10, 1991

MISSOULA, MONTANA

SUBMITTED BY

NOEL E. WILLIAMS

LINCOLN COUNTY BOARD OF COMMISSIONERS

512 CALIFORNIA AVENUE

LIBBY, MT 59923

THANK YOU, GENTLEMEN, FOR ALLOWING US THIS OPPORTUNITY TO BE HEARD.

MY NAME IS NOEL WILLIAMS AND I AM A MEMBER OF THE BOARD OF COMMISSIONERS OF LINCOLN COUNTY, MONTANA. I ALSO REPRESENT ALL OF THE COUNTIES OF MONTANA ON THE BOARD OF DIRECTORS OF THE WESTERN INTERSTATE REGION AND ON THE PUBLIC LANDS STEERING COMMITTEE OF THE NATIONAL ASSOCIATION OF COUNTIES. THESE TWO GROUPS ARE RESPONSIBLE FOR HELPING TO DEVELOP AND DIRECT NATIONAL PUBLIC LANDS POLICIES REFLECTIVE OF THE NEEDS AND ATTITUDES AS RECOGNIZED AT THE LOCAL GRASS-ROOTS LEVEL.

I WOULD LIKE TO PREFACE MY TESTIMONY WITH THE QUALIFICATION THAT I AM SPEAKING PRIMARILY TO THAT PORTION OF SB #72 THAT ADDRESSES THE KOOTENAI NATIONAL FOREST. THE KOOTENAI NATIONAL FOREST ENCOMPASSES NEARLY 75% OF LINCOLN COUNTY, AND 77% OF THE KOOTENAI NATIONAL FOREST IS WITHIN THE BOUNDARIES OF LINCOLN COUNTY. I MENTION THIS TO ILLUSTRATE THAT THESE TWO ENTITIES ARE INEXTRICABLY INTERTWINED. ANY MAJOR DECISION AFFECTING KOOTENAI NATIONAL FOREST MANAGEMENT WILL ALSO AFFECT THE SOCIAL, ECONOMIC, AND CULTURAL FABRICS OF LINCOLN COUNTY.

SENATOR BUMPERS' MOST WELCOME LETTER OF INVITATION NOTED THAT YOU WOULD BE PARTICULARLY INTERESTED IN SPECIFIC RECOMMENDATIONS CONCERNING BOUNDARIES OF AREAS PROPOSED AS WILDERNESS IN SB#72.

OUR RECOMMENDATION, IN A NUTSHELL, IS THAT YOU GIVE SERIOUS CONSIDERATION ONLY TO THOSE AREAS RECOMMENDED WITHIN THE U.S. FOREST SERVICE'S KOOTENAI NATIONAL FOREST PLAN. THESE RECOMMENDATIONS ARE BASED ON INTENSIVE PROFESSIONAL INVOLVEMENT AND EXTENSIVE PUBLIC INVOLVEMENT, AND WERE DEVELOPED WITHIN THE CRITERIA PARAMETERS OUTLINED BY CONGRESSIONAL MANDATE. THE ADDITIONAL AREAS INCLUDED IN SB #72 WERE REVIEWED FOR INCLUSION IN THE WILDERNESS PRESERVATION SYSTEM AND IT WAS DETERMINED THROUGH THE FORMAL PROCESS THAT MOST OF THEM WERE NOT SUITABLE. MILLIONS OF PUBLIC DOLLARS WERE SPENT DEVELOPING THIS PLAN AND WE BELIEVE IN ITS VALIDITY, WITH A COUPLE OF EXCEPTIONS.

ONE EXCEPTION IS THAT PORTION OF TREASURE MOUNTAIN CURRENTLY UNDERGOING A SKI AREA FEASIBILITY STUDY. CONGRESS HAS AUTHORIZED PROGRAMS TO HELP FOREST-DEPENDENT COMMUNITIES TO BEGIN TO DIVERSIFY THEIR LOCAL ECONOMIES. AS YOU CAN WELL APPRECIATE, SENATORS, DIVERSIFYING A LOCAL ECONOMY WHEN MOST OF THE LAND BASE IS PUBLIC DOMAIN IS EASIER SAID THAN DONE. THE ABILITY TO DEVELOP TREASURE MOUNTAIN HAS POTENTIAL FOR ENHANCING THIS EFFORT. IF IT IS DETERMINED NOT FEASIBLE, WE WOULD ENCOURAGE ITS INCLUSION IN THE WILDERNESS SYSTEM.

A SECOND EXCEPTION IS IN REGARD TO THE TEN LAKES AREA. IT IS GENERALLY AGREED THAT THIS AREA IS CHARACTERIZED BY ITS WILDERNESS QUALITIES AND THAT THOSE QUALITIES SHOULD BE CHERISHED AND PROTECTED. IT IS GENERALLY AGREED THAT THERE SHOULD BE NO EXTRACTIVE ACTIVITIES IN THIS AREA, NOR ANY "DEVELOPED" RECREATIONAL FACILITIES. IT IS ALSO GENERALLY AGREED BY AN OVERWHELMING MAJORITY OF LINCOLN COUNTY VOTERS THAT SNOWMOBILING IN THIS AREA SHOULD CONTINUE TO BE ALLOWED. IT HAS BECOME A "TRADITIONAL AND HISTORIC" USE OF THE AREA AND IS CONSIDERED PART OF THE CULTURAL HERITAGE THROUGH SEVERAL GENERATIONS OF CONTINUED USE.

THE NATIONAL ENVIRONMENTAL POLICY ACT REQUIRES THE FEDERAL GOVERNMENT TO CONSIDER THE IMPACTS OF ITS DECISIONS AND ACTIONS ON THE ENVIRONMENT, BUT THE ACT ALSO REQUIRES FEDERAL AGENCIES TO PRESERVE CULTURE, HERITAGE AND CUSTOM. CUSTOM AND CULTURE ARE DEFINED AS A RIGHT GRANTED TO A LOCALITY BASED ON INTEGRATED PATTERNS OF HUMAN BEHAVIOR PASSED TO SUCCEEDING GENERATIONS. THUS WE REQUEST THAT IF THE TEN LAKES AREA BE INCLUDED IN THE WILDERNESS PRESERVE, YOU SHOULD INCLUDE LANGUAGE TO ALLOW SNOWMOBILE USE. ALTERNATIVELY THIS AREA COULD BE PROTECTED UNDER A DIFFERENT DESIGNATION SUCH AS "NATIONAL RECREATION AREA."

A THIRD MAJOR CONCERN OF THE PEOPLE OF LINCOLN COUNTY IS THAT WHATEVER LANDS ARE PROPOSED FOR INCLUSION IN THE WILDERNESS SYSTEM, THERE BE SOME PROVISION FOR MINERAL EXPLORATION, DISPOSITION OF EXISTING MINERAL CLAIMS, AND SOME OPPORTUNITY TO DETERMINE MINERAL POTENTIAL. HERE AGAIN WE ARE DEALING WITH CUSTOM AND CULTURE AS WELL AS NATIONAL INTEREST IN RESOURCE AVAILABILITY.

WE ARE CONSIDERING HERE TODAY A BILL THAT WAS INTRODUCED AS A NORTHWEST MONTANA CONSENSUS AND HAS BEEN WRITTEN TO SOUND AS THOUGH IT IS BASED ON AN AGREEMENT CONCEIVED IN AN OPEN, PUBLIC PROCESS, AND PERCEIVED BY THE MAJORITY TO BE A FAVORABLE SOLUTION. THIS HAS BEEN PROVEN TO BE BLATANTLY UNTRUE IN LINCOLN COUNTY.

44-796 0 - 91 - 5

IN OUR OFFICIAL WILDERNESS ALTERNATIVES POLL, CONDUCTED UNDER ESSENTIALLY THE SAME CIRCUMSTANCE AND CRITERIA AS A REGULAR ELECTION, THE PEOPLE'S CHOICES WERE AS FOLLOWS:

A) NEARLY 87% OF THE VOTERS CHOSE THE FOREST SERVICE'S RECOMMENDATIONS OR LESS TO BE DESIGNATED AS WILDERNESS.

B) ONLY SLIGHTLY MORE THAN 10% OF THE ELECTORATE VOTING CHOSE TO SUPPORT THE KOOTENAI ACCORD RECOMMENDATION EMBODIED IN SB #72.

C) ABOUT 2.5% OF THE VOTERS CHOSE TO DESIGNATE ALL INVENTORIED ROADLESS AREAS AS WILDERNESS.

D) ABOUT 80% OF THOSE VOTING ON THE TREASURE MOUNTAIN EXCLUSION WERE IN FAVOR.

E) 84% OF THOSE VOTING ON THE TEN LAKES SNOWMOBILE USE ISSUE WERE IN FAVOR.

F) 82% OF THOSE VOTING ON THE ISSUE TO GRANT SOME EXCLUSIONARY WINDOW FOR MINERAL RESOURCES WERE IN FAVOR.

THESE RESULTS ARE SO CLEAR, SO DECISIVE, THAT I WILL NOT FURTHER BELABOR THEM HERE. WE WILL PRESENT THEM IN ADDITIONAL WRITTEN TESTIMONY.

YOU KNOW, AND I KNOW, THAT IN THE LARGER CONTEXT, THE ISSUE BEFORE US IS THE CONTINUING EROSION OF THE CONCEPT OF MULTIPLE USE MANAGEMENT OF FEDERAL LANDS. IT IS THE STATED POLICY OF CONGRESS THAT THERE ARE MANY LEGITIMATE USES OF FEDERAL LANDS AND THE NATURAL RESOURCES, AND THE OPPORTUNITIES FOR VARIOUS ACTIVITIES CONTAINED THEREIN, AND THAT THESE USES AND ACTIVITIES MUST BE BALANCED, AND WHEN IN CONFLICT, CHOICES MUST BE MADE.

UNFORTUNATELY, THERE ARE THOSE WHO ARE WORKING HARD IN AN ULTIMATELY SELF-DEFEATING EFFORT TO LIMIT USE OF AND ACCESS TO OUR PUBLIC LANDS. RATHER THAN PROMOTING LAND MANAGEMENT PRACTICES THAT PROTECT AND PRESERVE OUR RESOURCES FOR HUMAN USE, THEY WANT TO PROTECT AND PRESERVE THE LAND AND OUR RESOURCES FROM HUMAN USE.

AS OFFICIALS ELECTED TO REPRESENT OUR CONSTITUENTS -- YOUR CONSTITUENTS ALSO, GENTLEMEN, AS AMERICAN CITIZENS -- THE LINCOLN COUNTY COMMISSIONERS CANNOT SUPPORT AN ACTION WHICH IS RESOUNDINGLY PERCEIVED TO HAVE A MAJOR DETRIMENTAL EFFECT ON OUR LOCAL ECONOMY, OUR CULTURE, OUR CUSTOMS, AND OUR SOCIAL FABRIC.

YES, THE KOOTENAI NATIONAL FOREST BELONGS TO ALL THE PEOPLE OF OUR NATION. HOWEVER, CONGRESS HAS CONSISTENTLY RECOGNIZED THAT LOCAL STABILITY, LOCAL DEPENDENCIES, AND LOCAL PRIORITIES ARE THE BACKBONE OF THE FEDERAL SYSTEM AND ARE OF FIRST ORDER OF IMPORTANCE.

WHEN THE WILDERNESS ACT OF 1964 WAS PASSED, THERE WERE FEW PROTECTIONS FOR VALUES ON OR USES OF THE LAND. SINCE THAT TIME THERE HAS BEEN A PLETHORA OF LAND PROTECTION STATUTES, NEARLY ALL OF WHICH REQUIRE LOCAL COORDINATION AND CONSULTATION THAT TOGETHER OBVIATE THE NEED FOR EXCESSIVE ADDITIONAL WILDERNESS RESERVATION PROTECTION. AND THE PEOPLE OF LINCOLN COUNTY HAVE DEMONSTRABLY AND EMPHATICALLY RECOGNIZED THAT SB#72, CONTAINING THREE TIMES THE ACREAGE RECOGNIZED BY OUR PROFESSIONAL LAND STEWARDS AS SUITABLE FOR WILDERNESS IN THE KOOTENAI NATIONAL FOREST IS EXCESSIVE.

PLEASE, SENATORS, YOU MUST EXERCISE MODERATION IN IMPOSING MANAGEMENT MODES THAT COULD SHRED THE HISTORIC FABRIC OF OUR COMMUNITIES. OUR COMMUNITIES IN LINCOLN COUNTY, ECHOED BY MOST THROUGHOUT THE WEST, ARE SAYING TO YOU, ALMOST AS A SINGLE VOICE, THAT IT IS UNWISE TO COMMIT SUCH A LARGE PART OF OUR LAND TO EXCLUSIVE, ANTI-ECONOMIC, ANTI-ACCESS, ANTI-HUMAN PURPOSE OF FEDERAL WILDERNESS. THEY ARE SAYING TO YOU THAT WE MUST MAINTAIN OUR NATURAL RESOURCE POTENTIALS, OUR HUMAN ACTIVITY POTENTIALS, AND OUR MANAGEMENT OPTIONS IN A MANNER AS FLEXIBLE, ACCESSIBLE, AND AS PRODUCIBLE AS IS CONSISTENT WITH SOUND CONSERVATION PRACTICES. SB #72 AS IT IS CURRENTLY WRITTEN DOES NOT DO THIS.

WE HAVE BEEN TOLD, AND YOU ARE BEING TOLD, THAT WE MUST HAVE FEDERAL WILDERNESS AS THE ONLY EFFECTIVE MEANS OF PROTECTING THE LAND; THAT IT WILL NOT ADVERSELY AFFECT CULTURE, CUSTOM, AND ECONOMIES; THAT IT IS NECESSARY FOR WILDLIFE; THAT THERE ARE NO ECONOMIC RESOURCES OF SIGNIFICANCE AT RISK OF FORFEITURE; THAT THERE WILL BE NO ADVERSE CONSEQUENCE OF ANY KIND; AND THAT ONLY BENEFIT WILL ACCRUE TO FUTURE GENERATIONS. NONE OF THIS IS TRUE.

WE RESPECTFULLY ASK YOU TO RECOGNIZE THIS DISHONESTY AND PROCEED WITH SB #72 BY EMBODYING WITHIN IT THE ALTERNATIVE I HAVE PRESENTED HERE. IT IS FAR MORE HONEST, FOR MORE INCLUSIVE OF DISPARATE INTERESTS, AND FOR MORE RESPONSIVE TO CHANGING NEEDS AND CONDITIONS OF BOTH NATURE AND HUMANS.

THANK YOU

NOEL E. WILLIAMS

Senator BINGAMAN. Thank you very much.

[Applause.]

Senator BINGAMAN. And the final witness on this panel is Barbara Evans with the Missoula County Commission.

Barbara, thank you for being here.

STATEMENT OF BARBARA EVANS, MISSOULA COUNTY COMMISSIONER, MISSOULA, MT

Ms. EVANS. Thank you, Senators Bingaman, Baucus, Burns, and Craig for this opportunity to testify. Your commitment to the public and constituents is admirable and we are honored that you chose to conduct such an important meeting within our boundaries.

As you know, Missoula County covers some 2,600 square miles of western Montana. We are truly resource rich with a growing population——

Senator BINGAMAN. Could you just pull that microphone a little bit more in front of you? Thank you.

Ms. EVANS. We are truly resource rich, with a growing population base of over 78,000 residents attracted to an area within a State that has lost population in the last 10 years. In addition to our increasing residential base, we are blessed with timber resources and agricultural lands, valuable mining deposits, incredible recreational opportunities, abundant plant diversity and wildlife resources unmatched in the rest of the world.

Because of our diverse resource base, we are committed to protecting those resources which provide residents of the United States with a secure living, working and recreational environment. We firmly believe in a multiple use approach to land management, in both the public and the private sector, which protects those treasures which make life in western Montana so appealing to residents and tourists alike.

Businesses like Patagonia and others who have chosen to move to Montana do so because of what we have to offer in the way of outdoor and recreational opportunities, but we also need to balance that with a healthy business climate.

The Missoula County Commissioners are acutely aware of the fact that our 78,000 plus residents cannot and should not be the ultimate decision makers in important national issues.

However, we strongly urge you to consider our input and to move forward to resolve a wilderness issue that has been mired in antagonism for too many years. While the Lolo Accord does not resolve all conflicts between historic antagonists, it is an important first step toward bringing our constituents, and the company in general, a more secure, economic and resource rich future.

While we support the Lolo Accord, we, at the same time, want to provide jobs for the timber industry and we applaud the national program of new perspectives which provides the ability to log selectively, to protect timber jobs and still protect our environment and wilderness.

Missoula County strongly endorses the Lolo Accord and S. 72, a notable agreement among diverse groups which helps resolve the longstanding wilderness debate in western Montana.

Our unanimous support of the Accord is founded on the following assumptions and caveats:

The release language contained in the Accord should not preclude the appeal of management decisions impacting lands excluded from wilderness designation. The intent of the release language should be able to permit those aggrieved by a management decision to appeal that decision through the Forest Service appeal process.

A regional, biologic approach to forest management should be considered by national forests in western Montana, northern Idaho and northwestern Wyoming. This approach will permit better management of wide-ranging species of limited density, including the threatened grizzly bear and the endangered grey wolf, on both wilderness and nonwilderness lands.

The concept of wildlife travel corridor preservation should be thoroughly researched by agencies involved in and responsible for wildlife management. The wildlife treasures found in western Montana are a value to all citizens and should be protected for this and future generations. The separating of habitat must not result in the loss of wildlife through simple ignorance, and we believe further research into the concept of wildlife corridors will help avoid such a tragic mistake.

The Forest Service should be given the clear mandate and concomitant funding to meet the needs of timber production, recreation and wildlife without overemphasizing one concern over the other. It is unacceptable to lose all timber production simply to meet the needs of recreationists. Likewise, it is equally unacceptable to emphasize timber production that endangers an entire wildlife species.

Our hearings on the Lolo Accords convinced us that we can harvest timber without excessive clear-cutting, therefore, protecting our native flora and fauna. However, the Forest Service must manage our forestlands in a way that is truly equitable, as well as economically feasible, and not a deterrent to our economy.

The Lolo Accord is but a small step in the resolution of this issue, and we believe that it is an important first step which illustrates the value of cooperation between historically opposing factions of our society. Consequently, we urge you to support the adoption of this Accord after addressing each of our concerns.

Missoula County provides a home for businesses and recreationists, cattle ranchers and loggers, wildlife enthusiasts and wolves, snowmobilers and skiers, gardeners and grizzly bears. We intend to keep and protect each as best we can and believe that with your help through the Lolo Accord, we can do that.

I am extremely appreciative of your willingness to travel to western Montana to solicit the input of all parties interested in this area. We wish you the best as you move toward an equitable decision on wilderness legislation in our area.

As my final comment, I would ask only that you amend S. 72 to include the requirement that a study be done on wildlife corridors and the funding for that be included in your bill. Thank you.

[Applause.]

[The prepared statement of Ms. Evans follows:]

PREPARED STATEMENT OF BARBARA EVANS, MISSOULA COUNTY COMMISSIONER, MISSOULA, MT

Thank you Senators Bingaman, Baucus, Burns and Craig for this opportunity to testify. Your commitment to the public and your constituents is admirable and we are honored that you chose to conduct such an important meeting within our boundaries.

As you know, Missoula County covers some 2,600 square miles of Western Montana. We are truly resource rich, with a growing population base of over 78,000 residents attracted to an area within a state that has lost population in the last ten years. In addition to our increasing residential base, we are blessed with timber resources and agricultural lands, valuable mining deposits, incredible recreational opportunities, abundant plant diversity and wildlife resources unmatched in the rest of the world.

Because of our diverse resource base, we are committed to protecting those resources which provide residents of the United States with a secure living, working and recreational environment. We firmly believe in a multiple use approach to land management (in both the public and private sector) which protects those treasures which make life in Western Montana so appealing to residents and tourists alike.

Businesses like Patagonia and others who have chosen to move to Montana do so because of what we have to offer in the way of outdoor and recreational opportunities, but we also need to balance that with a healthy business climate.

The Missoula County Commissioners are acutely aware of the fact that our 78,000-plus residents cannot, and should not, be the ultimate decision-makers in important national issues. However, we strongly urge you to consider our input and to move forward to resolve a wilderness issue that has been mired in antagonism for too many years. While the Lolo Accord does not resolve all conflicts between historic antagonists, it is an important first step toward bringing our constituents, and the country in general, a more secure economic and resource-rich future.

While we support the Lolo Accord, we, at the same time, want to provide jobs for the timber industry and we applaud Orville Daniels' new perspectives which provide the ability to log selectively, protect timber jobs, and still protect our environment and wilderness.

Missoula County strongly endorses the Lolo Accord and S. 72, a notable agreement among diverse groups that helps resolve the long-standing wilderness debate in Western Montana.

Our unanimous support of the Accord is founded on the following assumptions:

1. The release language contained in the Accord should not preclude the appeal of management decisions impacting lands excluded from wilderness designation. The intent of the release language should be to permit those aggrieved by a management decision to appeal that decision through the Forest Service appeal process.

2. A regional, biologic approach to forest management should be considered by National Forests in western Montana, northern Idaho and northwestern Wyoming. This approach will permit better management of wide-ranging species of limited density, including the threatened grizzly bear and endangered grey wolf, on both wilderness and non-wilderness lands.

3. The concept of wildlife travel corridor preservation should be thoroughly researched by agencies involved in and responsible for wildlife management. The wildlife treasures found in Western Montana are of value to all citizens and should be protected for this and future generations. The separating of habitat must not result in the loss of wildlife through simple ignorance and we believe further research into the concept of wildlife corridors will help avoid such a tragic mistake.

4. The Forest Service should be given the clear mandate and concomitant funding to meet the needs of timber production, recreation and wildlife without over-emphasizing one concern over the other. It is unacceptable to lose all timber production simply to meet the needs of recreationists. Likewise, it is equally unacceptable to emphasize timber production that endangers an entire wildlife species.

Our hearings on the Lolo Accord convinced us that we can harvest timber without excessive clearcutting, thereby protecting our native flora and fauna. However, the Forest Service must manage our forest lands in a way that is truly equitable as well as economically feasible, and not a deterrent to our economy.

The Lolo Accord is but a small step in the resolution of this issue, and we believe that it is an important first step which illustrates the value of cooperation between historically opposing factions of our society. Consequently, we urge you to support the adoption of this Accord after addressing each of our concerns.

Missoula County provides a home for businesses and recreationists, cattle ranchers and loggers, wildlife enthusiasts and wolves, snowmobilers and skiers, gardeners

and grizzly bears. We intend to keep and protect each as best we can and believe that with your help, through the Lolo Accord, we can do that.

I am extremely appreciative of your willingness to travel to Western Montana to solicit the input of all parties interested in this matter. We wish you the best as you move toward an equitable decision on wilderness legislation in our area.

Senator BINGAMAN. Thank you very much.

At this point, we will go to questions.

Senator Baucus.

Senator BAUCUS. Thank you, Mr. Chairman. I would like to ask a water rights question to both Michael Scott and Jo Brunner.

As we all know, as you stated, Jo, water is critical, certainly to our State. As we also all know, in this particular case, that is in S. 72, these areas that would potentially be designated wilderness are all headwaters. That is, the water right issue, Federal versus State water rights and the determination and adjudication of water rights within the State, would be theoretical matter, not be a concrete matter. You each represent a different—I will not say extreme—but quite a different view as to whether there should or should not be a Federal reserve water right in wilderness areas.

Now, Michael Scott is concerned about the Solicitor's Opinion. That opinion basically states that there is no Federal reserve water right in wilderness, and that is the last Federal decision on that subject.

You, on the other hand, say that only the State, if I understand your testimony, should determine the degree to which there is a Federal reserve water right. That is, there should not only be no Federal reserve water right, but that basically the State should decide.

Now, those are interesting questions, they are very real questions. In some situations where there is, in fact, a definite conflict. But in this case there is no definite conflict. There may be at a later date when we take up BLM or other potential Forest Service bills. But we are only dealing here today with S. 72 which deals only with two national forests and where there is no conflict, because these are all headwaters.

So my question to each of you: Why not deal with the conflict at a subsequent date? At a subsequent date when, in fact, there is a conflict, whether it be BLM, whether it be Forest Service lands or whatever? The language in S. 72 is hold harmless language. It basically says, We take no stand on whether there is or is not, because that is not a practical problem in this situation.

So my basic question of each of you is a very complex area. Why not leave statutory language in trying to resolve that question to a future date when, in fact, there is a conflict? Because there is no conflict in this case.

Jo, you were first, so I will start with you.

Ms. BRUNNER. Senator Baucus, I did not say that there should not be a Federal reservation.

Senator BAUCUS. I am sorry.

Ms. BRUNNER. I said that the Federal reservation should go through the State process, and that is how we believe it should be.

Senator BINGAMAN. Would you pull your microphone a little closer, Jo.

Ms. BRUNNER. Excuse me.

Senator BINGAMAN. Thank you.

Ms. BRUNNER. I said the Federal reservation should be obliged to go through the State adjudication process. We do not believe that water should be left in limbo in any circumstance, and we believe that is what your language does. It leaves water in limbo.

I am sure you are aware of the fact that our adjudication process cannot be completed until the Federal reservations are at least negotiated. I have entered into a negotiation with the Reserve Water Rights Commission. When that is accomplished, then they are supposed to go to the State adjudication process; and we believe that it is necessary to begin the process of making sure that Federal reservations are negotiated with the Reserve Water Rights Commission.

Senator BAUCUS. Mike, could you answer the same question, please?

Mr. SCOTT. Sure. As I pointed out in my testimony, we thought we had a substantial basis for agreement. In listening to Jo, perhaps we do have more of a basis for agreement.

Once again, we believe there ought to be a Federal right for wilderness. I think in some respects it may be that at some point in the future, we may see attempts by other cities, large urban areas like California which has now 12 percent of the Congress and the House of Representatives, export water; and we believe that a wilderness water right is a very strong protection for these areas, both for agriculture and for wilderness, against those sorts of things in the future.

Plus the fact is that denying—and we read this as, I think, Jo does in that sense of putting wilderness water rights into limbo, which is something we think ought to be determined by the Congress in potentially denying to wilderness a water right which will set a very absolute president for how we——

Senator BAUCUS. Do you favor a Federal reserve water right for wilderness areas on an equal level essentially with other water claims, or at a higher level?

Mr. SCOTT. Well, the Congress creates the right and it goes through the State adjudication process just as Jo describes, and that is why we sought, along with other conservationists, changes to clarify that process. And in the legislative session that would specifically allow the State of Montana to adjudicate a post-1973 Federal water right. And as I mentioned——

Senator BAUCUS. So what do you think the accommodation with Jo might be? Can you state it?

Mr. SCOTT. Well, I think it would be that Congress would expressly recognize a Federal water right and commend that right in some fashion to the State adjudication process for effectuation and quantification.

Senator BAUCUS. Jo, your reaction?

Ms. BRUNNER. I appreciate the fact that there was a bill passed in the 1991 legislative session that the Reserved Water Rights Commission have the capability of taking care of water after 1973. We have not even had a request, as far as I am familiar with, for the 1964 Wilderness Reservation.

But what I am saying is that while we appreciate that effort, we think that something beyond that has to be done, and we certainly agree—I am kind of stymied as to who Mr. Scott has been talking

to on these agreements that we have disagreed to or not agreed to. But, yes, there needs to be—we do need to get together. We do need to have an agreement.

Senator BAUCUS. But does Michael Scott's suggestion seem like it is in the ballpark to you.

Ms. BRUNNER. It is certainly within the ballpark.

Senator BAUCUS. Well, that is progress.

Ms. BRUNNER. I am not sure how it is going to be accomplished, because we certainly did not back out of any discussions with them.

Senator BAUCUS. I would like to turn a little bit—well, Mike, a question I have for you. Could you tell us again, at least according to your information, how effective release language has been in other State wilderness bills? You passed over that. I wonder if you could expand just a little bit please.

Mr. SCOTT. It might be useful for a moment just to recount what the intent in 1980 of the release language was in the first place. Remember back then——

Senator BINGAMAN. Would you again pull the microphone closer.

Mr. SCOTT. Remember back in 1980, we were talking about the EIS, the RARE II EIS, which a Federal court in California found to be illegal, and it was a nationwide EIS. The timber industry asked the Congress for some language that would protect it from challenges, court challenges, once a wilderness bill passed, based on this finding by this California court, Federal court. And so that was sort of the genesis of release language. It said, essentially, once Congress made up its mind on a wilderness bill, that for the period of 1 forest planning cycle, normally 10 or 15 years, that people would be precluded from challenging development decisions in release roadless lands based on the wilderness recommendation.

Senator BAUCUS. How well has that worked? That is the question.

Mr. SCOTT. It has actually worked very well. There has not been one instance that I am aware of that any of the 30-plus statewide wilderness bills have passed where there has been a court case brought to challenge the wilderness recommendations, post-wilderness bill.

Now, what happened here, and as I mentioned earlier there has been some two plus billion board of harvest released out of the roadless lands for the Pacific Northwest. And elsewhere, it does not preclude—just as the Missoula County Commissioner pointed out, it does not and should not preclude challenges to subsequent development decisions of roadless or roaded lands based on other considerations, clean water, on the basis of fish or wildlife.

Senator BAUCUS. I understand that. But the question I am trying to get at: Even with that, but maybe because of those potential challenges, what number of board feet or what percent of suitable roadless acreage has actually been unchallenged and harvested? You used a figure of a couple billion board feet. It is hard to translate that into actual percentages. I am just trying to get a gut sense.

Mr. SCOTT. I could not tell you as a percentage of the ASQ or all the forests connected. All I could say is, in fact, timber is being harvested from released roadless lands in other States.

Senator BAUCUS. It is important to note the percent of suitable acres in roadless acres that have actually gone through on an unchallenged basis.

I would like to ask now, Bruce, if we can get a little bit better question of suitable versus tentatively suitable acreage. As with you, we all know the forest plan is the suitable acreage which is included in the base of the plan, and tentatively is not.

Arnie, you mentioned some point about you thought that the Forest Service, in developing and drawing a line between suitable and tentatively suitable, perhaps, if I understand you correctly, was biased more toward including more suitable as opposed to tentatively. The point being that the end of the planning cycle, when the Forest Service goes back and revisits this question, that it is highly unlikely that tentatively suitable acreage will then be shifted over to the suitable category. Did I understand you correctly or not?

Mr. BOLLE. Yes, that is right. In the planning process, why, the Forest Service approached the planning process in the forest looking at all of the forested land, first of all, recognizing that some of it was dedicated to other uses like the ranger station and recreation areas, wilderness, possibly, but—and so that the rest of it was all tentatively suitable. They had to go through two tests. One was economic and the other one was business, physical considerations.

In the economic test, they decided that all land would be suitable that produced 20 cubic feet per acre per year or more. Produced less than that, it fell out.

Then, from the physical side, they had to look at several things: One of them was this land subject to land failure? Was it so steep and the soils fragile that there would be erosion. It looked at possible siltation in stream channels. And then the other thing was a requirement of the law was that it be possible to regenerate within 5 years. So it had to meet those tests. The land that met those tests was considered suitable, and in that the ASQ was taken. Now, this is ideally.

Now, in some cases there was criticism that the ASQ was outside of that and actually forced to include for more lines than ASQ by the examination of the land on site. Now, this is essentially the basis. Suitable, is land that produces more than 20 cubic feet of acres and is not subject to severe erosion or landslide and can be regenerated in 5 years——

Senator BAUCUS. We do not have a lot of time here, Arnie. I guess the basic question is: When we look at suitable acreage in determining boundaries, what degree should we also be concerned with tentatively, tentatively suitable acreage? That is the question.

Mr. BOLLE. The idea is that in that first cut, that maybe some of the land that produces less than 20 cubic feet per acre might be suitable or maybe taken land out that maybe they should not have that was not as fragile as was first considered. The fact is, that land is uneconomic in many cases above 20 cubic feet. That was a considerable problem and it looks like there might be some change in that. On land for regeneration purposes, but obviously proves now that cannot be regenerated in further time, then perhaps there should be further land taken out that was considered suitable and made unsuitable. So tentatively suitable generally is very mar-

ginal and the trend is not likely to be toward a bigger ASQ but more likely a smaller one.

Senator BAUCUS. In the next planning cycle, you are talking about?

Mr. BOLLE. Yes.

Senator BAUCUS. Bruce?

Mr. VINCENT. With all due respect, there are a whole bunch of words in there that I have a problem with it and all surrounds tentatively suitable and suitable timber. The words highly unlikely, perhaps, quite possibly, not likely, we do not know.

And our position up in Lincoln County is we have got 26 percent unemployment. We do not know what the next forest planning cycle is going to do, but we are dead certain that if it is in wilderness, it will not be called suitable in the next rotation. So one of the biggest factors that change things between suitable and tentatively suitable timber is economics. At the time that our Forest Service planning cycle was completed, lodgepole pine was selling $6 to $10 per thousand. It is now in the $150 to $200 range. Things have changed a lot since our last forest planning cycle. What the future will hold, it is highly unlikely and possibly quite likely uncertain certain that I know. But we do know that wilderness is very, very certain.

Senator BAUCUS. That is one problem that we all face around here. Thank you, I have no further questions.

Senator BINGAMAN. Senator Burns.

Senator BURNS. Mr. Scott, I will ask a question—Senator Craig had to leave—and you stated one of the greatest potential benefits of passing a wilderness bill is to bring finality to a long and divisive process. As a representative of the Wilderness Society, can you give the Senate any assurances that S. 72, if it is enacted in its current form that The Wilderness Society will not seek additional wilderness on the Lolo-Kootenai forests in the future?

Mr. SCOTT. Well, I guess I would fall back on what Mr. Vincent said. The future is uncertain, and you have to look at what happens in other forest planning cycles and things such as that; and so that is what I would say.

Senator BURNS. Also, a statement that you made in your discussion with Senator Baucus. You said that the ASQ's has gone up on those released lands where they pass statewide level. Was that increased wilderness a statewide bill in Montana?

Mr. SCOTT. I do not believe I said the ASQ's had gone up. I think what I said is the timber had been harvested off the released roadless lands. There have been released roadless lands that are not experiencing any timber harvest.

The point that I was trying to make: In other forests in other States that have had a wilderness bill, timber actually has been harvested off of those released roadless lands.

The other point that I would make is: Regardless of whether you go with a statewide wilderness bill or forest by forest or area by area, you still have to do the same thing, which is to sit down with maps and with boundaries and with the people and make those determinations. So I do not know that there is any magic to be gained by going to the statewide bill versus two forests or anything else.

Senator BURNS. Also along the same line, you say in your testimony here, this was not a compromise designed to have included all interests. That is a pretty bold statement. I wish that we, in Congress, had that little right that we would not have to take all interests into account.

You say here, one timber company. You only mention one timber company. You only list one timber company and now it opposes the bill without amendments. You have only done business with the one mining company, who has only its concerns addressed and now has questions about it. Recreationists, trail bikers, water users.

You agree, do you not, that Congress must consider all interests if the Accords group did not take into their consideration? Would you agree with that?

Mr. SCOTT. Absolutely. Senator, what I would point out is that the folks that struck the compromise on the Kootenai-Lolo Accords never represented themselves as being other than mill workers and conservationists, and what they sought to recognize is the fact that those were the two major contestants, or two perceived contestants, over wilderness; and so they sat down to strike some sort of agreement with one another. I think that what they have done is they have commended this process and commended the Accords to you as the Congress and asked you to give it fair consideration.

I think people that have got up here and testified expressed confidence that it is the best rounded thing that has been produced so far. But we encourage everybody to testify and ask the Congress to give everyone equal consideration.

Senator BURNS. Well, but that was not the way it was cast and couched and perceived, though, was it? That this is big broad-based agreement, everybody loves it, and basically, that was not the case.

Mr. SCOTT. No, I guess I have to disagree with you in the sense that it was represented as being an agreement between mill workers and conservationists for which our support was sought by many other groups, and I do not think its ever been represented as anything else.

Gerry Slingsby got up and submitted letters and testimony for the record which gives a sense of the broad-based support that there is for it. There are others that do not support it and I do not think anyone has pretended that there has not been disagreement over what it contains.

Senator BURNS. But it was advertised and perceived that this is broad-based and has the majority of the people in the two or three or four counties that are involved here, and I guess that is what I would say—basically I would say the commissioner from Lincoln County could probably answer that better than I.

Mr. WILLIAMS. I would say, Senator Burns, that in my opinion what happened was that the media grasped upon this accord as a broad-based solution, and those people who were signators of that union and only humanly accepted that and expanded on it as an opportunity. The media was certainly giving it help.

Senator BURNS. Mr. Chairman, I have no further questions. I just want to add at this time, I hope we can move forward on this process and explore some options and try to work together and figure out some way, come to some successful conclusion of this issue be-

cause it is a tough, tough, tough issue. Thank you very much and I appreciate your coming.

Senator BINGAMAN. Thank you. Let me ask a question or two here. Maybe to you, Mr. Williams. In some of the testimony we got earlier, there was a statement—I believe this was in Mr. Hills' testimony—that, if Congress does not act to resolve the wilderness debate successfully, the future is clear: a stalemate with substantial declining timber harvest on every Montana national forest will occur. Do you agree with that?

Mr. WILLIAMS. I do not think I really agree with that. Could you rephrase that one more time? I am not sure.

Senator BINGAMAN. I was trying to just quote him, so I better not rephrase it. I will read it. I will read it again. It said, If Congress does not act to resolve the wilderness debate successfully, the future is clear: a stalemate with substantial declining timber harvests on every Montana national forest will occur. That is the statement.

Mr. WILLIAMS. Okay, I am not sure that his statement that it is clear that is what will happen is true. I would have to agree with Mr. Vincent and Mr. Scott in that the future is very uncertain. Even if the wilderness bill is passed, the future of resource availability is still going to be uncertain.

However, I do believe that the resolution of the wilderness debate in Montana will create an atmosphere in which the economy can be revitalized, and that it is the perception of most of the people in our rural economy that excessive additional wilderness will lessen our ability to revitalize the economy. And even more than that, Senator, I think it is an attitude. Without a healthy attitude, you are not going to have a healthy economy, a healthy environment; and the feeling that the decisions are being taken completely out of the local public's hands and are ultimately going to be something different from what they find acceptable does not help for a healthy attitude.

Senator BINGAMAN. Let me ask Mr. Scott something along the same lines. The suggestion was made by several of the witnesses that there will be additional timber made available and additional timber harvested in the future if, in fact, we go ahead and pass legislation, reflecting either this Accord or some variation on it. Do you agree that that is the case? To your mind, is that much of the future clear or not?

Mr. SCOTT. Well, I think that what happens is that, right now, you have got a roadless base on each of these two national forests of which a certain set of lands have been recommended for wilderness, either through the Accords or the forest planning process. What happens when the Forest Service goes to look at timber harvest in those roadless lands, it faces stiff opposition because people want to preserve the future option because Congress has not yet acted on it. Once Congress acts, once Congress will designate lands and release lands in these two forests, I believe what happens is that at least for the purpose of the wilderness debate, that opposition starts to decline. And so it does make it easier to resolve the timber harvest issue and you do get more timber coming from those roadless lands.

Senator BINGAMAN. Senator Baucus, did you have anything else, any additional questions?

Senator BAUCUS. I have a lot of questions but we do not have time to ask them. I want to thank everyone here, first. It is interesting to me, looking at the panel here, six people, the divergent views. There is Jo and Michael Scott who tend to have different views on water rights, whether they should be reserved, Federal water right for wilderness, for example, and yet listening to both of you, there seems to be a combination working together, and that is very helpful.

And Bruce and Arnie have a little bit different views on this question, to say the least. But still, I very much thank both of you for your testimony which is offered in the spirit of trying to resolve this question, and we have got to resolve it as Noel pointed out.

Then, Noel and Barbara. One county commission recommends passage of S. 72 with respect to Lolo anyway, Missoula, with some reservations; and one other county commission, Lincoln County, says no, basically, for his reasons which are legitimate reasons.

So we have a very diverse set of viewpoints. However, it is clear to me from the tone this morning it was much more one of reconciliation and compromise than has been the tone at previous hearings, and I very much compliment each of you for that. I think that offers very well. In fact, this hearing was billed as being, if I might coin an expression, "the mother of all hearings," but it really did not turn out that way, or it did in another sense. Maybe it is the mother of hearings in the sense that it is constructive, it is nurturing, in a certain sense, and I very much look forward or want to work with each of you in that framework, that is one of reconciliation, putting this behind us. Because, you know, we have got other battles that Montana faces, other challenges Montana faces in addition to this one. And the more we can put this one behind us—it will never be totally behind us because there will always be questions about the management of our public lands. But if we can put this basic question of what is and what is not wilderness behind us in our wilderness acreage, that will go a long way toward freeing us up to facing some other challenges that we face in the State. Because we have to remember, the enemy in our State is not another Montanan. It is not environmentalists, it is not somebody in the forest products. The enemy is our failure thus far to come up with a State plan that addresses balanced economic growth. That is what we really have to do. We have to provide jobs. And I know this is part of the jobs question, but in my view, the resolution of this will help create jobs, and then we can get on with other ways to create jobs in a meaningful, balanced way that is very important for our State.

So I thank you very much for your testimony.

Senator BINGAMAN. Senator Burns, do you have a final statement?

Senator BURNS. None. I really appreciate everybody here today, and especially the panelists. I thought they made their arguments very well.

I am going to make a commitment that we are going to see this process go forward, that we can resolve this thing one way or the other to the satisfaction of the State of Montana. I want to take a

real hard look and a common-sensical look at what we are doing to ourselves.

Senator Bingaman, thank you for being here today, and I know that you have issues in your State that are just as important as this is to the State of Montana. In my view, I think there is a broad-based consensus here for the forest management plan and their recommendation. And what was it the other day Senator Bumpers said in a hearing that was—was it one of the good Senators from Louisiana? Said, that is my view and if you do not like it, I will change it.

But I really believe that we can get a consensus if we take a common-sensical view of it because I will tell you what, I happened to come up the hard way. I come up packing a dinner bucket like most of you did out here, and anything that happens that eroded your way to make a living and our way of life in the West, we have got to be very cautious that somebody else does not impose things on our culture that we like here in Montana very much, that we do not allow that to happen. I will always make my stand on that on those grounds.

So, thank you, and I appreciate the big crowd we had today; and the testimony, very, very good. I learned a lot from it. I know all of us learned a lot from it, and I think Senator Bingaman now has firsthand knowledge of just how great a State this great State of Montana is and so thank you, Mr. Chairman, for coming.

Senator BINGAMAN. Thank you. Senator Baucus, you had another point.

Senator BAUCUS. Yes. It is the last point that Conrad made, namely, thanking you. You set a very good tone here for this hearing. It is one of the best wilderness hearings that we have had in the 12, 13 years that we have undergone in dealing with this. I think that we all should give you, Senator, a great round of applause. We might warn you that we may ask you to come back to our State again.

Senator BINGAMAN. Let's make this one the last of the wilderness hearings.

[Applause.]

Senator BINGAMAN. Let me thank Senator Baucus, Senator Burns, Senator Craig for their participation, and I know that they are all very committed, particularly your own two Senators, to finding a solution here in Montana to this set of issues.

Let me also thank the witnesses. I think we have had good testimony on virtually all sides of the issues. I thank everybody who has attended. I know that many of you have other things that you could be doing today and I think this shows the kind of commitment that people in this State have to seeing these problems resolved successfully. This testimony will be useful to the full Energy and Natural Resources Committee which I serve on, and to our subcommittee, when we get back to Washington and continue to deliberate on these issues.

In closing, let me just say that anyone who has prepared written testimony today and would like to submit it for the record, may hand it to the people at the exit. Again, I will urge that if there is anything else that you come up with as a result of what you heard today, and you want to communicate it to the subcommittee, please

send it to us at the Senate Energy and Natural Resources Committee in Washington, or get it to either of your Senators represented here today and they will be sure that it gets in the record of this hearing. Thank you all very much.

The hearing is adjourned.

[Whereupon, at 11:58 a.m., the hearing was adjourned.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

[Due to the voluminous nature of the materials submitted, only a representative sample of statements follows. Additional documents and statements have been retained in subcommittee files.]

MONTANA CHAMBER OF COMMERCE

P O BOX 1730 • HELENA, MONTANA 59624 • PHONE 442-2405

May 7, 1991

The Honorable Senator Dale Bumpers
Chairman, Public Lands, National Parks
and Forest Subcommittee
Suite 364
Durksen Building
Washington, D.C. 20510

Dear Senator Bumpers;

On behalf of businesses across the state of Montana we wish to convey to you and members of the Committee our grave concern and strong opposition to the Lolo and Kootenai National Forest Wilderness Act (S72).

After much study and consideration, it is apparent the Lolo-Kootenai proposal does not represent the wishes or needs of the majority of Montana citizens. Many were not represented at the negotiations. Even more importantly, this proposal will not resolve the critical natural resource problems facing the timber industry, all other interests, the public and communities of the State of Montana. Montana is a natural resource dependent state. Our economic base and our amenities are tied to available natural resources.

The Lolo-Kootenai Accords as proposed (some 680,000 acres of new wilderness) is excessive. Opinion polls by Eastern Montana College consistently show that a majority of Montanans feel the state has enough wilderness. No new wilderness is needed, but in the spirit of balancing perception, the U.S. Forest Service wilderness proposal of 300,000 acres on the same forests is fair and reasonable. Far more preferable and practical would be a comprehensive statewide wilderness bill that would put this issue to bed once and for all.

In addition to wilderness withdrawals, Montana faces de-facto wilderness in on going study areas; over constrained forest plans - so procedure oriented management results are lost; an out of control appeals system; contiguous effects on management lands adjacent to existing wilderness or parks; complex public processes - never ending and costly; and public unawareness - especially in the areas of natural resources and economics.

Both the congress and the state of Montana should address the

total spectrum of public natural resource management including effective release language. Designated wilderness is just a facet of a complex situation. It has taken us 35 years to create this circumstance where dynamic management is out and static non-management is accepted. Public need has yielded to public unawareness. Nothing will damage our socio/political/ environmental well being faster than the continual erosion of our natural resource base and our economic base.

After 15 years of accelerated resource withdrawal it is time to put people back into the equation where jobs, families, and communities can be integrated with professionally managed natural resource lands. Accordingly, we urge the members of the Committee to reject S72.

Respectfully yours,

F.H. Boles
President

FB/sj

cc: Conrad Burns
Max Baucus
Pat Williams
Ron Marlenee

Western Environmental Trade Association

208 N. Montana Avenue, Ste. 104 - Helena, Montana 59601
Phone (406) 443-5541
Fax # 443-2439

OFFICERS:
Alan Solum, President
IBEW, Local 768

Dan Walker, 1st Vice President
U.S. West Communications

Franklin Graafield, 2nd Vice President
Big Timber, Montana

Paul Caruso, Jr., Secretary-Treasurer
First Security Bank, Helena

EXECUTIVE DIRECTOR
Peggy Olson Trenk

June 10, 1991

The Honorable Dale Bumpers
Chairman, Public Lands, National
Parks and Forests Subcommittee
Suite 364
Dirksen Building
Washington, D.C. 20510

Dear Senator Bumpers:

The Western Environmental Trade Association would like to submit the following written comments regarding S. 72, the Lolo and Kootenai National Forest Wilderness Act, which is the subject of a hearing held today in Missoula, Montana.

The members of our association (WETA) have opposed the two-forest approach to wilderness designation since the accords were first announced in June 1990. Please be assured that we value the effort that those individuals who drafted the Kootenai/Lolo Accords have invested in the process. However, as has been demonstrated as recently as May 21, 1991 when the citizens of Lincoln County, Montana overwhelmingly defeated the Kootenai Accord in a local election, we have never believed the concept enjoyed significant local support. Furthermore, we advised members of the delegation that because so many individuals and groups who do have a legitimate interest in what lands will be designated wilderness were not included, we felt pursuing the two-forest approach could serve to further polarize efforts to bring this issue to a rest statewide. That, too, has appeared to happen to some degree.

There is no question that S. 72 as written will impact not only resource industries, but public use of many areas in the Kootenai and Lolo National Forests that are important to those seeking motorized access. There are valid mining claims, miles of snowmobile trails, private lands, and acres of tentatively suitable timber within the boundaries proposed for wilderness.

That being said, WETA does not believe the work on the part of the delegation over the past months has been in vain. The debate over the Lolo/Kootenai Accords has brought focus to the fact that Montana does need to bring an end to the wilderness controversy that has played a role in limiting our options for recreation, for development of our resources, and for maintaining the kind of environment we all desire. A wilderness bill does need to be passed this year. Not one that offers only a partial response to these needs, but one that addresses the entire state.

WETA believes that a statewide bill based on the framework already laid by the Forest Service in the existing forest plans for all ten national forests does have the broad-based support needed to get this issue behind us. Our Board of Directors has voted to endorse the Forest Service recommendations as the foundation for such a bill and is committed to assisting our state's two Senators in passing a statewide bill this year.

For that reason, we ask the Committee not to consider S.72 any further. Passage of a statewide bill is the best solution for Montana and for all those who have an interest in public lands.

Thank you for the opportunity to comment.

Sincerely,

Peggy Olson Trenk
Executive Director
WETA

cc: Senator Max Baucus
Senator Conrad Burns
Representative Pat Williams
Representative Ron Marlenee

June 10, 1991

Honorable Dale Bumpers
Chairman, Committee on Energy and Natural Resources
U.S. Senate
Washington, D.C. 20520

Subject: Kootenai/Lolo Accords

Dear Sir,

I am a working, tax paying resident of Montana who lives and works in Montana with the specific goal of being able to recreate in Montana. The proposed Kootenai/Lolo Accords are an infringement on my right to recreate in Montana.

I and my family are very involved in the sport of snowmobiling as are another 30,000 plus Montanans who own and recreate using snowmobiles. Wilderness designation eliminates the use of snowmobiles for recreation because no motorized recreation is allowed in wilderness areas. Snowmobiles are used to access the same areas in the winter that hikers, etc., use in the other seasons of the year. The motivation for snowmobiling the high alpine areas is the same as it is for other user groups, the challenge to explore and enjoy the beauty of land. Snowmobiles are compatible in that they do not damage the environment and when the snow is gone, so are their tracks.

Many of these areas that have been proposed for wilderness in the Accords are not used by any other recreation groups in the winter. It is morally unjust to take away the recreational opportunities of a majority of users just to protect the sanctity of the wilderness experience. Several studies and documents show that wilderness usage is a small portion of the use of National Forests. Roadless areas should be available to motorized recreation on a basis equal to the demands of non-motorized recreation.

I am president of the Flathead Snowmobile Association and as representing for its 300 plus members I speak on their behalf. We snowmobile in most of the areas involved in the Kootenai/Lolo Accords. We were not represented in the negotiations, we were never invited to participate and we were purposely left out of the process because we were thought to be uncompromising. The truth of the matter is that there is no compromise possible when there is nothing left to be compromised on because the accords took all of the best of the lands. The accords are not compromise, they are a declaration of single interest ownership of the land.

The members of the Flathead Snowmobile Association wish to see the wilderness debate settled on a state wide basis. The effect of the accords is to grant more wilderness than has been previously negotiated. It is an unfair tactic that has been repeatedly promoted by a small single interest group as having a broad base acceptance. Too many user groups were ignored in this process and we demand the right to be heard and our opinions be honestly considered. In closing, I urge you to consider the wishes of the majority and return the process of wilderness designation back to the people.

Sincerely yours,

Harvey D. Reikofski Jr.
President, FSA
15 Grace Rd.
Columbia Falls, MT 59912

Dear Mr. Baucus:

This letter that I am writing to you is in concern for the Lolo/Kootenai Accords proposal. As an avid snowmobiler, being cut off from all this land is a problem to me. I don't only speak for snowmobilers, I am also speaking for the many people who ride any motor vehicle, the berry pickers, and the many people unable to enjoy this land with out some kind of vehicle to carry them there. With this proposal comes along many more, and that means more land that is taken away from me to use for my enjoyment.

It's not that I am against keeping care of the land and waters. That's not the case at all. But I do feel that these proposals are limitations to my rights to be on this land. It's like saying only people who are in shape enough to hike can use those lands, but anyone who can't walk onto them can't use them. That's not right. The land was put her for <u>all</u> to use.

NOt only is the proposal limiting who can use this land, it limits what seasons we can use it in. In the winter time, I can take my snowmobile out and ride on the trails and enjoy myself far from any towns or people. But if we are not allowed to use our motorized vehicles on this land, that means we have to either be crazy and attempt walking this snow-covered land in the frezing cold, or we have to stay at home.

Around here, we count on the tourists for much of our incomes. These tourists want to be able to take what ever vehicles they brought out into the trails and enjoy the beauty that they may not be able to enjoy where they live. Taking that righ away from them may be taking away the tourists from our area, and a lot of our money.

I hope you will seriously listen to what I am writing in this letter because I am speaking for and with <u>many</u> others who feel the same or more strongly. WE DON'T NEED ANY MORE WILDERNESS! WE HAVE A RIGHT TO OUR LANDS.

Sincerely,

Shelly A. Reikofski

Shelly Reikofski

April 22, 1991

Montanans For Multiple-Use
F.O. Box 68
Hungry Horse, Montana 59919
Valerie Johnson
Asst. Secretary for MFMU

This letter pertains to SB-72, the Lolo-Kootenai Accords. We the members of Montanans For Multiple-Use (MFMU) would like to know what impact SB-72 wilderness designation proposal will have on timber, endangered species, recreation, mining, disease management and big game management?

Claims have been made that the Accords represent the timber industry in Montana, or at least the union mill workers. How much of the timber that comes off of the Kootenai is milled by union workers? And what percentage of timber in all of Montana is milled by union workers? Also, what percentage of people employed by the Montana timber industry are union workers and how many of these union members voted?

Were Plum Creek, Stoltze and American Timber invited to the Accord? If not, what is the reason for this if the Accords are for the timber industry?

What impact will this have on future mineral potential? The Accords people say their wilderness proposal will only affect about 1,000 jobs in the mining industry. These aren't numbers we are talking about. These are families, tax payers and voters. The truth is that the land to be locked up includes over 5,200 claims and at least 2 world class silver deposits.

The Accords people say they are protecting some of the last best places. What they are actually doing is ignoring the rights of the handicapped and elderly by placing off limits forever these lands to people who already face to many obstacles. What accommodations have been made, if any, for the handicapped and elderly? Isn't this discrimination? The Accords people

cc

say they have already compromised and cannot compromise anymore. Who did this compromise, and were any of them asked for input into this proposal? The Accord also stated they would not appeal because of wilderness designation. But anybody who is not of the Accords team can appeal.

Why are we having to debate a wilderness issue without addressing the will of people as to whether or not we need or want more wilderness? And what impact will this have on the average tax paying citizen? How will this affect the local economy and the people who live near the areas proposed?

As you can see, there are still alot of unanswered questions about the Accords as well as the majority of the people in the state who don't know what the Accords say or what the end result will be if the Accords are adopted.

Therefore MFMU would like to propose a hearing be held in Kalispell, on neutral ground for all the tax payers and Montanans since it is their money being used for SB-72 Accords proposal.

Sincerely,

Valerie Johnson

Valerie Johnson
Asst. Secretary for MFMU

cc

Donna Eggleston
4160 Hwy. 37
Libby, Mt. 59923

Subcommittee:
Public Lands, National Parks and Forests
Room 364 Dirksen Senate Office Bldg.
Washington, D.C. 20510

Members of the subcommittee:

I am a native Montanan and I have lived in Lincoln County all of my life. It is very important to me that the people who live in Lincoln County be heard.

Senate Bill 72 introduced by Senator Max Baucus is based on a so called "accord" supposedly enjoying broad base support. June 7, 1990, newspapers around the state claimed the "accord" an historic pact, a precedent setter, also that other forests should come to a similar agreement. The Lolo and Flathead forests spring to mind.

May 21, 1991, almost one year later, after the media feeding frenzy, our commissioners, upon hearing so much discord, have conducted an official wilderness poll in Lincoln County to conclude how much land the people who live in the Kootenai National Forest would like to see designated wilderness. Through this poll we have learned that 2,458 people would like to see the Forest Service recommendation considered for wilderness designation on this forest.

501 people in all of Lincoln County would like to see the "accord" become law. This number is less than just the membership of the local union, a signator of the accord.

Now that it has been proven that the "Kootenai accord" does not and never has had broad base support, we must conclude the "Lolo accord" modeled after it's predecessor does not have the support it claims, although the Missoula County Commissioners have taken it upon themselves to endorse, unknowingly, a scam sold by the media to the rest of the United States.

A true precedent has been set by our commissioners by officially polling the voters whose futures depend on good decisions concerning our natural resources and land management.

The US Forest Service has, through the Forest Planning process, determined, with input from the preservation community approximately 112,000 acres for designated wilderness.

If a wilderness poll could have been conducted a year ago when the "accords" were unveiled as a great compromise between conservationists and the timber industry with broad base support, we would not be having hearings on a Bill that enjoys the support of 501 people, instead we could actually have a Bill based upon a true consensus.

The voters of Lincoln County have made their decision and would like to see this as a starting point for a state wide Bill.

I would like a letter from you assuring me that this testimony has been read and considered.

Thank you for hearing us,

Donna Eggleston

Donna Eggleston

MONTANA PETROLEUM ASSOCIATION
A Division of the
Rocky Mountain Oil and Gas Association

Helena Office
2030 11th Avenue, Suite 23
Helena, Montana 59601
(406) 442-7582

Billings Office
The Grand Building, Suite 510
P.O. Box 1398
Billings, Montana 59103
(406) 252-3871

Janelle K. Fallan
Executive Director

June 7, 1991

The Honorable Max Baucus
United States Senate
Washington, DC 20510

Dear Senator Baucus:

Thank you for the opportunity to add our comments on S. 72.

One of our concerns is that so many of the parties with an interest in wilderness designations were not included in the so-called accords. The petroleum industry is but one. The concerns of the petroleum industry may not appear as immediate as those of recreationists or loggers, but they are certainly no less valid.

The wilderness debate could have been resolved long ago if Congress had only to reach an agreement between two user groups. It is the complex needs of the rest of the public that make reaching an agreement so difficult. Simply eliminating all those other groups should not make the agreement valid or acceptable to Congress.

Our specific concern with S. 72, aside from our exclusion from the bargaining table, has to do with release language. The release language contains language that gives no relief from wilderness management or certainty to multiple users. It does not actually release lands from continuous wilderness study through the land management planning process, nor does it release lands <u>for</u> multiple use in the meantime.

The release language in S. 72 is virtually the same as that in many previous wilderness bills. It is "soft" release language that does not permanently release non-wilderness lands from wilderness study, nor does it prohibit the Forest Service from managing these lands in a de facto wilderness status, even though Congress chose not to designate them wilderness.

Section 6 of S.72 attempts to create the impression that this "agreement" was forged by all the people who live, work, or have some other sort of interest in Northwest Montana. This is simply not correct.

The language in (b)(1) <u>invites</u> environmental organizations to challenge forest plan decisions (<u>except</u> those relating to the allocation of lands for wilderness and non wilderness), Forest Service Regional Guides and other department policies. This

specific disclaimer of these documents gives the impression Congress does not approve of them. This sets a bad precedent of "no confidence" in the agency's work.

The provision stating that the Forest Service is not required to manage these "released" lands as wilderness applies only to the time period prior to the revision of the Kootenai and Lolo Land and Resource Management Plans. These plans are scheduled to be revised in the mid-1990's, probably around 1995. If this bill is enacted this year, there is only a four year hiatus before the Forest Service must study these lands for wilderness again. If the lands are recommended for wilderness through the plans, these areas will be managed for wilderness again.

The release language states that non-wilderness lands "need not" be managed for the purpose of protecting their suitability for wilderness (but they can be so managed if the Forest Service wants to). It also states that the Forest Service "shall review" the wilderness option when its plans are revised (in four years).

All wilderness bills need strong release language that actually returns non-wilderness lands to non-wilderness multiple use management, including commodity development. The language should prevent the Forest Service from managing these areas in a de facto wilderness status, it should not permit the Forest Service to study these lands at each revision of the plans (only when authorized by Congress), and should not permit judicial review of the Forest Service's decisions to allocate lands to non-wilderness uses.

The Rocky Mountain Oil and Gas Association (RMOGA) is a trade association representing hundreds of companies and individuals involved in all phases of oil and gas activities throughout the Rockies. Our membership is diverse, and includes major companies as well as small and medium-sized Independent operators. These operators employ some 86,000 people in jobs directly affiliated with the oil and gas industry in the Rockies, and account for more than 90% of the oil and gas resources produced and processed in our eight-state region. We believe continued access to federal lands for oil, and gas exploration and development is of paramount importance, not only to our members, but to the local, state, regional and national economy as well.

Thank you for your attention.

Sincerely,

Janelle K. Fallan

Janelle K. Fallan
Executive Director

June 17, 1991

Honorable Dale Bumpers
Chairman of Public Lands,
Nat'l Parks & Forest Subcommittee
Ste. 364 Dirkens Building
Washington, D.C. 20510

To: Honorable Dale Bumpers,

Please consider this to be my written testimony on the Lolo/Kootenia Accords since I was unable to speak at the hearing in Missoula on June 10, 1991.

The Lolo/Kootenia Accords are of great concern to me for I feel that, 1. To many multiple use groups were left out of the process, 2.To many industries were left out of the process, 3. To much public land on two National Forests are being locked up without to much consideration. 4. What could possibly happen to our National Forest land if it is put into wilderness and will NEVER be able to be managed for disease?

Once you have land set aside for wilderness NEVER again will you be able to ride a snowcat, motorbike, mountain bike, you won't even be able to take a wheelbarrow in this area to retrieve big game. I don't feel that so much land should be set aside just to be able to hike and ride a horse in.

The forest will NEVER be able to be managed for diseased timber. It could all be wiped out by the pine beetle and then burned to the ground by one single lightening strike. If it burns or dies of diease what are we doing for the Old Growth forest? If it is managed by mother nature will species such as the Spotted Owl have enough Old Growth for homes? We have more Old Growth today than we did 100 years ago because we have been able to manage our forests from fire and disease.

I agree there may be some areas in Montana where there may be a need for more wilderness but not what is being shoved down our throats today by our enviromental obstructionists. Not every piece of roadless land needs to be locked up. Lands that are only a few hundred feet from roads, this in my eyes is not wilderness!

Montana families need a statewide wilderness bill, not a forest by forest accords. My son asked me the other day, "Mom will I have to fight these issues when I grow up?" I told him I hoped not but more than likely he will unless we can get true leadership out of our elected officials!

The other thing I firmly believe in is, a wilderness bill with strong release language. We do not need a wilderness bill with standard release language in it that will enable our enviromental obstructioinists to use to tie up more of our multiple use areas. Even groups from out of state can do these appeals.

How can wildernss areas contribute to our local economy or for that matter our nations economy? Lands that can be used for multiple use contribute the most in the long run to the greatest amount of people! I have lived here all of my 34 years and I have never been in to a wilderness area. These areas will never be seen by the majority of our senior citizens or handicapped people. To me wilderness areas are only for people to like to hike or have enough money to buy a horse or can afford a guide to take them.

Who are we actually benefiting by locking more land aside that will NEVER be used for TRUE multiple use? Are we setting these lands aside for people who live clear across the United States so they can possibly visit it once in a life time? Don't we already have enough land such as this set aside?

Here where we live in the Flathead National Forest which is a neighboring forest to the Kootenia National Forest, we already have 50% of it locked up into wilderness. Many of our residents leave this area to enjoy hunting, snowmobiling, berrypicking, 4X4 use, trailbike riding, ect., because we are already limited in what areas we can use.

Please take careful consideration on the Lolo/Kootenia Accords. If you really believe that Montana needs more wilderness please let it be a State-wide Wilderness Bill! Take some time and explore our state and see for yourself, don't be persuaded by a group of enviromental obstructionist who are not telling the whole truth.

Thank you for letting me take this opportunity to submit my written testimony. Please take time to listen to some of the other working families in Montana on their views on this matter.

Sincerely,

Peggy A. Wagner

Peggy A. Wagner
Box 21
Hungry Horse, MT 59919
(406)-387-5535

cc/Senator Conrad Burns
Senator Max Baucus
Senator Bingaman
Senator Craig
Montana's Governor Stan Stephens

Louisiana-Pacific Corporation

P.O. Box 389
Deer Lodge, Montana 59722
406/846-1600

June 14, 1991

The Honorable Dale Bumpers
Chairman, Subcommittee on Public Lands National Parks & Forests
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Louisiana-Pacific Corporation submits the following written testimony for the record on S.72, the Kootenai and Lolo National Forest Wilderness Act.

Louisiana-Pacific owns and operates two sawmills and a particle board plant in Montana, employing approximately 500 mill and woods workers. In addition we have 5 mills in northern Idaho whose resource supply comes, in part, from the Kootenai and Lolo National Forests.

S.72 will have a serious detrimental effect on timber supply and our ability to keep these mills in operation.

The Lolo and Kootenai Bill includes more than twice the acres recommended by the Forest Service in the Forest Plans. Of the 683,000 acres proposed for wilderness in S.72, 53% are tentatively suitable capable of growing commercial timber within the environmental guidelines required by the National Forest Management Act.

Obviously, not all of the tentatively suitable lands are suitable or <u>scheduled</u> for harvest during the current 10-15 year period the Forest Plans are in effect.

However, in the very near future, when Forest Plans are revised, some of the tentatively suitable lands will be scheduled for timber harvesting to compensate for "New Forestry" practices and new wildlife management concerns which are severely restricting the amount of timber which can be cut on the lands which are currently classified as suitable. The future emphasis will be to harvest <u>less</u> intensively over a larger area.

In addition many of the tentatively suitable lands were not classified as suitable due to economic criteria. Stumpage prices have increased ten fold since the Forest Plans were developed. This has also increased the acres which can be harvested economically.

The Forest Service needs the flexibility to manage lands under a variety of changing economic, social and natural conditions. Excessive wilderness designation severely limits this flexibility.

For example, on the Deerlodge National Forest, the Record of Decision for the Deerlodge Forest Plan specifically identifies 140,000 acres of tentatively suitable timberland when "If demand develops, there is an opportunity to increase harvest by 4.8 million board feet per year through amendment of the Forest Plan." (pg.23 ROD Deerlodge Forest Plan Sept. 1987)

These tentatively suitable lands are not just important to allow for economic growth in the timber industry and Montana, but also are essential to maintain our existing industry and communities due to constantly changing economics and social and environmental concerns.

Louisiana-Pacific Corporation is not only opposed to S.72 because of the excessive acres of wilderness designation, but also because of the release language contained in the Bill which will, in effect, accomplish nothing. Similar language passed in other states' wilderness bills has proven not to "release" lands to multiple-use as was intended. Although it does release lands from further wilderness consideration until Forest Plan revisions, the wilderness suitability question will need to be revisited at every revision (10-15 years) of the Forest Plan, which in the case of Montana Forests is only 4-5 years from now.

In the meantime, even with release language, the Forest Service will still be required to do extensive and expensive Environmental Impact Statements to enter roadless areas due to the controversy surrounding such decisions, and those projects will still be appealed and litigated on a variety of other issues designed to stop timber sales.

The practical side of the release language debate is that with or without a wilderness bill and release language the Forest Service will not be able to implement their forest Plans as intended.

Attached you will find an example of an Environmental Assessment which was done for the Elkhorn Mountain Timber Sale in Colorado. The Forest Service themselves decided that the release language included in the Colorado Wilderness Act was not adequate. In other words, the Forest Service decided that Congress was wrong in releasing those lands to multiple-use and has decided to conduct another study and inventory of roadless areas on the Routt National Forest. (Elkhorn Mountain Decision Notice and FONSl pg.3, dated February 19, 1991)

In Montana, we do not buy off on the notion that just because all of the other states have release language which doesn't work, we should too. Maybe it's the numerous buffalo jumps left by our Native American ancestors which serve as constant reminders of the fatality of that kind of logic.

Louisiana-Pacific Corporation supports the Forest Plan recommendations for Wilderness in the form of a statewide wilderness bill. We also ask for your support in developing release language which will end this debate once and for all.

Thank-you

Sincerely,

Anthony C. Colter
Senior Resource Manager
LOUISIANA-PACIFIC CORP.

ACC/kf

DECISION NOTICE
and
FINDING OF NO SIGNIFICANT IMPACT
for the
ELKHORN MOUNTAIN TIMBER SALE

Hahns Peak Ranger District
Routt National Forest
Routt County, Colorado

PURPOSE AND NEED

The Routt National Forest Land and Resource Management Plan concludes that sawtimber output and management for long term timber production are two of several legitimate uses of the land. Land use allocation and commodity output decisions are discussed in the Plan. One of the primary objectives of this timber sale is to provide a small part of the Routt Forest's commodity outputs. Field review, preliminary analysis (the Position Statement) and comments from the public and Forest Service resource specialists indicated that a commercial timber sale could be conducted in the area without major adverse environmental effects. Given that determination, the Interdisciplinary Team conducted an environmental analysis and documented their findings in an Environmental Assessment. The analysis supports the preliminary finding that commercial products can be provided without major effects to the environment.

Many of the timber stands in the Elkhorn Mountain area form large expanses of mature lodgepole pine and aspen, which are declining in growth and vigor. By harvesting and regenerating some of these stands now, a mix of stand ages will result. The sites that are treated will eventually regenerate and become occupied with young, thrifty trees for many years to come. Untreated stands will continue to decline in health and vigor. Management in this area will improve long-term tree growth, increase age, size class, and horizontal structural diversity. Increasing diversity will somewhat reduce the susceptibility of both new and existing stands to insect attack and disease. The area as a whole will have a greater ability to respond to ecological disturbances over the long-term, and to retain an appearance similar to what we see today.

There is no urgent need to treat these stands of timber. However, there are long-term benefits to treating the stands now, as opposed to waiting until an urgent need is present. Treatment of some of the stands in the area now will create a wider variety of conditions (and therefore management options) in the future, while at the same time it will not preclude any long term options that are not already precluded (unroaded and wilderness, as examples).

DESCRIPTION OF THE ALTERNATIVES

Three alternatives were considered. Alternative 1, the No-Action alternative prescribed no timber harvest and no road construction. Management activities would continue but would not include timber harvest. Alternative 2 includes development in both the northern (7E, timber emphasis) and southern (6B, range emphasis) portions of the analysis area. Roughly 380 acres would be harvested, and 5 miles of road would be constructed to provide access. Alternative 3 includes development only in the northern portion of the analysis area, where about 250 acres of timber would be harvested and 2.5 miles of new (permanent) road would be constructed to provide access.

DISCUSSION OF MAJOR ISSUES

UNROADED AREAS

Alternative 2 includes two miles of road construction and 128 acres of harvest within a currently unroaded area south of Elkhorn Mountain. The Colorado Wilderness Act of 1980 released this area along with several other unroaded areas within Colorado for multiple use. The size of this unroaded area is 18,000 acres. Roughly 700 acres of this area would be effected by this Alternative. This alternative would not preclude the vast majority of this unroaded area from being eligible for further review as wilderness.

Alternative 3 was developed in direct response to internal and public concerns expressed relative to maintaining the unroaded character of the southern portion of the analysis area.

CLEARCUTTING

Clearcutting has long been recognized as the most effective means of treating certain timber types for regeneration purposes. Lodgepole pine is an extremely prolific seed producer. Stands that are cut or are otherwise disturbed (ie.,fire) normally regenerate with thousands of seedlings per acre, providing the site is prepared adequately. Aspen sprouts from the roots of trees that have been cut or die from natural causes. Again, thousands of sprouts (small trees) per acre normally result. Aspen trees left uncut produce a hormone that inhibits sprouting. Aspen sprouting is also inhibited by the shade of remaining trees because the shade does not allow the soil to reach proper temperatures for sprouting. These facts make thinning or individual tree selection poor methods of regenerating these two timber types.

Partial-cutting could be employed in aspen and lodgepole stands to maintain visual quality. However, these species grow best under open, exposed conditions, and have thin bark and shallow root systems, which make them susceptible to logging damage and windthrow under partial-cutting regimes.

Although clearcuts are unsightly immediately after harvest, within a few years seedlings and saplings become evident, and vegetative diversity is enhanced over the long term.

OLD GROWTH

Approximately 10% of the forested acres within the analysis area are classified as Old Growth. This figure could change as the definition for Old Growth is further refined. Harvest is not proposed in any of the stands that currently qualify as Old Growth under either action alternative.

DECISION NOTICE

Based on the analysis and evaluation described in the Environmental Assessment and my knowledge of the area and it's issues, it is my decision to implement Alternative 3, and to include all the mitigation measures that were recommended in the EA.

The reasons I did not select Alternative 1 (No Action) are as follows:

1) Stands will continue to deteriorate as they age, making them more susceptible to insect attack and disease. In that condition, they threaten the long term health of the entire landscape. A major event such as an insect epidemic would severely limit management options in the future.

2) Trees are currently growing at a rate that is less than half of their potential. Faster growing trees are more healthy and, therefore, more disease and insect resistant and will add to the growing stock for future sawlog material.

3) It is my charge to implement the Forest Plan. This alternative is not consistent with the management direction outlined in the Plan, particularly as it relates to the 7E (timber emphasis) area.

The reasons I did not select Alternative 2, Commercial Timber Harvest including both the northern (7E, timber emphasis) and the southern (6B, range emphasis) portions of the analysis area are as follows:

1) This alternative involves two miles of road construction and 128 acres of timber harvest within a currently unroaded area. Although released for multiple use by the Wilderness Act of 1980, this area of approximately 18,000 acres has remained unroaded. Both public and agency perceptions of unroaded areas as unique resources have evolved since the 1980 release. Public comments received during scoping for this project show high levels of concern for developing a road network in this area. I am deferring any decisions to harvest timber in this area until a broader analysis of remaining unroaded areas can be completed. The value of unroaded areas as a public resource needs to be determined, as well as the contribution of this particular portion of this area.

2) Alternative 2 is not the most economically efficient proposal. Both the benefit/cost ratio and revenue return to the government are higher for Alternative 3.

3) Bidding on timber sales over the last few years on the Forest indicates that the supply of wood is greater than demand, therefore there is no urgent need to offer the higher volume alternative at this time.

4) Although one of the forest-wide goals described in the Land Management Plan is to maintain aspen at current levels, there is no immediate need to harvest the aspen stands in the 6B area to perpetuate aspen, since they are healthy, relatively pure, and will persist over the short term.

FINDING OF NO SIGNIFICANT IMPACT

I feel Alternative 3 is consistent with and best meets management objectives outlined in the Routt National Forest Land and Resource Management Plan.

Results of the analysis documented in the Environmental Assessment allow me to conclude that:

1) The clearcutting harvest system to be used in the aspen and lodgepole stands is the best method for managing these timber types.

2) Timber will not be harvested from lands not suited for timber production (36 CFR 219.14).

3) There are no known effects to human health and safety, or to critical habitat for endangered, threatened or sensitive species.

4) The physical and biological effects are limited to this immediate geographic area, which has no special uniqueness, and the action does not set a precedent for other projects that may have significant effects.

5) There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. Based on the results of extensive public scoping, the effects of this action are not likely to be controversial.

6) There are no known significant irretrievable or irreversible commitments of resources, and the action does not violate federal, state, local law or requirements imposed for protection of the environment.

7) There will be minimal impact to wetlands, and no impacts to floodplains or cultural resources.

I have determined that this is not a major federal action and will not significantly affect the quality of the human environment, individually or collectively, with other actions in the general area. Therefore, an environmental impact statement is not needed.

IMPLEMENTATION

The decision may be implemented the day after notice is published in the newspaper of record (Steamboat Pilot).

Appeal Opportunities

This Decision is subject to appeal pursuant to 36 Code of Federal Regulations, Part 217, "Requesting Review of National Forest Plans and Project Decisions", (amended 3/90). To initiate an appeal, a written Notice of Appeal must be submitted to:

Forest Supervisor, Routt National Forest
29587 W. US 40, Suite 20
Steamboat Springs, Colorado 80487

A copy of the Notice of Appeal must be sent simultaneously to:

Sherry B. Reed, District Ranger
57 10th St. P.O. Box 771212
Steamboat Springs, Co. 80477

The Notice of Appeal must be mailed within the 45-day appeal period. The appeal period begins on the date specified in the published legal notice, to be published in the Steamboat Pilot, Steamboat Springs, Colorado. A copy of 36 CFR, part 217 may be obtained upon request.

Sherry B. Reed — 2/19/91

Sherry B. Reed
District Ranger

Date

June 17, 1991

Senator Dale Bumpers
Chairman, Senate Subcommittee on Public Lands
U.S. Senate
Washington D.C. 20510

Sir:

I wish to submit comments on S. 72, the Lolo, Kootenia National Forest management Act. I have been following the "accords" that led up to this act for a many months and have visited much of the country that would be affected by the act. I oppose S. 72.

First, the affected country is considered by many Americans to be prime wild land which harbors exceptional scenery and large mammal populations. These are public trust lands and in their wild form they protect eons of biogeograhpical heritage. Decisions made regarding these lands must acknowledge their values on the national level as repositories for biodiversity and economically and spiritually valuable aesthetics.

I understand that the Lolo/Kootenai Accords would release the vast majority of these national forests to short term exploitation by the timber industry. Ninety eight percent of the lands in question would be released to logging, usually clearcutting, which is highly destructive to the plant an animal communities and forecloses other uses of the land. With 2% of these public lands being protected for all the other multiple uses, I cannot call this a fair bill or one which could be cast as a "compromise."

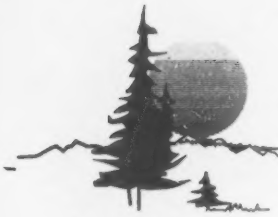
The timber industry in Idaho and Montana (and elsewhere in the West) has cut over its private lands, often for raw log exports to Asia, in a few short years and now turns to the public lands to continue their profiteering which comes at the longer term expense of workers, communities, and our public land heritage. S. 72 would join the federal government in the short sighted liquidation of our natural resources in violation of the principles embodied in various relevant natural resource laws.

I urge your subcommittee to reject S. 72 and to insist that any act which applies to these public lands follow the latest concepts of ecosystem management which are standard among progressive

professional land managers. I suggest that a large percentage of remaining roadless lands be preserved in a wild state for current and future generations.

I suggest that such an act exists in the form of the Northern Rockies Ecosystem Protection Act on behalf of the public interest. I urge you to reject S. 72 and to support the NREPA.

Tom Ribe,
Sandra Ely
980 E. 27th Ave.
Eugene, Or. 97405



PLANNING • CONSULTING

Forest Futures

1637 Red Crow Road • Victor, Montana 59875 • Phone: (406) 961-3959

June 9, 1991

Honorable Dale Bumpers
Senate Office Building
Washington, D.C. 20510

Dear Senator Bumpers,

I am writing in opposition to Senate Bill 72.

As a natural resource professional, I am appalled at the deliberate casting aside of the opportunities to manage so much of our National Forests for their multiple use benefits.

In a world struggling to support almost 5.5 billion people--in a nation of 250 million people needing access to resources and a viable economy, it seems foolish, indeed, to rush to lock up even more of our resource lands on the basis of a secretly developed set of "Accords".

We now have about 90 million acres of Federal lands excluded from management and multiple use by their inclusion in the National Wilderness Preservation System, and there are still some public domain lands to be considered. Where will it end? Isn't 90 million acres enough?

Senator Bumpers, many consider that we do not need any additional land classified as wilderness. But assuming that some additional land must be classified to find a workable compromise, surely you might find a more suitable proposal in the recommendations the Forest Service developed in their Land and Resource Management Planning. These recommendations could be used to work up a statewide Wilderness Bill for the State of Montana. This bill could be drafted to include workable release language, without which <u>any</u> Wilderness Bill is meaningless.

Release language should unequivocally remove non-classified lands from further consideration for Wilderness, and should prohibit the managing agency from studying non-classified lands for wilderness, or managing non-classified lands to, "preserve their Wilderness values", without specific direction from Congress. Further, the language should direct the Forest Service to aggressively utilize non-classified lands to achieve the goals and objectives of the individual Forest Plans. Specifically, the Forest Service should be directed to adhere to the timber harvest schedules established in the Forest Plans, as well as the livestock grazing and minerals management activities needed to encourage, not discourage, potential developers of the multiple use lands of the National Forests.

Very truly yours,

James H. Freeman, Forester

June 17, 1991

Mr. Baucus,

I hope you will take the time to read this letter from my husband and myself. We have lived south of Kalispell for the past 11 years and have enjoyed it to the extent that we want to retire here. (we are 50 and 52.)

We hunt, fish, camp, berry pick and are into photography. We are very distressed in the fact that we are being locked out of our National Forest land. Land that was free to use is now behind locked gates. My husband is now disabled and we can no longer walk in to hunt, fish, etc. We feel that since the property taxes are out of sight, local taxes prevent us from going into business for ourselves, and locking us out of the land that rightfully belongs to us, along with the poor job prospect is making us think of leaving Montana. We have lost many of our friends as they have moved away to make a living.

Locking up the Forest Service land and asking for more wilderness is the straw that is breaking the camels back. I don't know how you are going to attract more people to Montana by taking away everything that Montana has to offer. Are we going to be another California?

Please, NO MORE WILDERNESS. Open the gates so that the disabled people may hunt, fish and just plain enjoy the land that we are paying for through taxes.

We want our letter to be included in the official hearing record

Respectfully,

Pat Force

Copy to:

Sen. Conrad Burns
Pat Williams, Congressman
Ron Marlenee, Congressman
Dale Bumpers, Senator

1055 Patrick Creek Rd.
Kalispell, Mt. 59901

PlumCreek Timber Company, L.P.
PO Box 160 Columbia Falls, MT 59912
406/892-2141

June 7, 1991

The Honorable Dale Bumpers
Chairman, Subcommittee on Public Lands
National Parks & Forests
SD Dirksen Building
First & C Streets, N.E.
Washington, DC 20510

Dear Senator Bumpers:

Plum Creek Timber Company, L.P. provides the following comments on S.72 for inclusion in the record associated with the hearing in Missoula, Montana scheduled for June 10, 1991.

The company owns 807,000 acres of timberland in the state as well as 5 sawmills, 2 plywood plants, and a medium density fiberboard plant. These operations provide more than 1,300 direct jobs. As drafted this bill will have an adverse impact on the company as well as the state of Montana and its citizens.

The boundaries need major revisions for the following reasons:

1) Substantial amounts of private land are included within the proposed wilderness boundaries. There is no provision or time frames covering method of acquisition (ie., purchase, exchange, etc.) or source of funding to accomplish this. An example is the 6,500 acres of company ownership within the Galena Creek, Contaract Peak, and Cabinet Mountain Wilderness Completion--Southern Portion.

2) Boundaries include roaded areas where prior logging has occurred. The taxpayers' investments in these roads need to be protected by withdrawing them from wilderness consideration. Roaded areas do not meet wilderness criteria. An example of this would be in the Tuchuck--Thompson Seton areas.

3) Suitable and tentatively suitable timberland is locked up prior to evaluation of whether or not it can play a role in helping the USFS meet its ASQ commitments. There is attached an analysis which shows the location by area of this volume that totals about 3,127 MMBF of existing merchantable timber. This amount is equivalent to 3 years of annual sales for all forests in Region I.

4) The boundaries have implications for adjoining forests not only in magnitude of the set asides (ie., percent of roadless lands proposed for wilderness) but also in the logical extension of boundary lines. An example would be the extension of the Thompson Seton boundaries on the Flathead National Forest.

5) We recommend a broader involvement of people that are familiar with the lands and interests prior to deciding where the boundary lines should be established. The USFS recommendations should be helpful in this regard.

6) The release language as drafted is not adequate. The industry has recommended appropriate wording at the national level through AFRA.

The timber availability problems our industry faces need addressing immediately. Last year in Montana the USFS sold 57 percent of their ASQ. So far this year they have sold less than 25 percent with only 4 months remaining in their fiscal year. The unresolved fate of the 6 million roadless acres is a factor in preventing 100 percent accomplishment of ASQ performance.

The lengthy debate over wilderness in Montana has been a divisive issue that continues to disrupt the economy. We believe the vast majority of Montanans want a final resolution of this issue this year. The debate has gone on long enough, congress has heard and reheard all sides. It is now decision making time.

The wilderness issue is of statewide importance and should be resolved on a statewide basis. A two forest approach does not accomplish this. We urge each of you to reach consensus on a bill. It should be moved expeditiously so we can get this issue behind us. We stand ready to help each of you accomplish this.

Sincerely,

Robert E Boeh

Robert E. Boeh
Director, Log Planning & Procurement

Attachment

xc: Senator Max Baucus
Senator Conrad Burns

LOLO ACCORD ANALYSIS
January 8, 1991

Area	Acres	TENTATIVELY SUITABLE Acres	TENTATIVELY SUITABLE Volume (MMBF)	FOREST PLAN SUITABLE Acres	FOREST PLAN SUITABLE Volume (MMBF)
Lolo Peak	3,700	1,000	6.9	0	----
Quigg Peak	60,100	24,000	147.2	0	----
Stony Mountain	31,000	17,198	127.3	1,000	7.4
Swan Front	9,000	2,300	15.4	2,200	14.7
Sheep Mountain	28,000	14,000	108.1	1,700	13.1
Monture Creek	68,600	59,300	157.9	0	----
Cube Iron-Silcox	37,700	22,675	178.8	15,500	122.2
Cataract	7,000	3,900	50.0	1,800	23.1
Great Burn	92,700	52,250	400.0	1,800	13.8
	337,800	196,623	1,191.6	24,000	194.3

- Growth 146.5 BF/Acre/Year based on Long Term Sustained Yield of 178 MMBF/Year on 1,214,900 Acres of Suitable Timberland.
- Impact: 146.5 BF/Acre/Year on 24,000 Acres = Net Effect is Reduction 3.5MMBF/Year
- A Net Reduction of 2 - 4 MMBF/Year of available timber would result from the Lolo Accord as proposed.

dms/GS/loloaccord.anal

KOOTENAI NATIONAL FOREST
TIMBERLAND IN KWA WILDERNESS PROPOSAL (Kootenai Access)
6/90

	ROADLESS AREA & NO.	ACRES Kootenai Net Acres	SUITABLE TIMBER LAND Total Acres	TENTATIVELY SUITABLE Includes suitable acres Acres	STANDING VOLUME IN SUITABLE TIMBERLAND MMBF Total	STANDING VOLUME IN TENTATIVELY SUITABLE TIMBERLAND MMBF Total	SUITABLE TIMBER CONTRIB. TO LTSY MMBF Total	TENTATIVELY SUITABLE TIMBER CONTRIB. TO LTSY MMBF Total	
	Cabinet Mtn. Addn.:								
1	McKay #676	13,500	2,960	7,080	29.6	74.0	0.5	1.3	
2	Ceb. Face East #671	46,300	3,200	26,200	32.0	228.0	0.6	4.9	
3	Ceb. Face West #670	12,500	440	6,360	4.4	74.0	0.1	1.2	
	Ceb. Face West (outside)	1,000	900	900	9.0	0.9	0.2	0.2	
4	Chippewa #682	1,000	600	710	6.0	7.1	0.1	0.1	
	Subtotal	74,350	8,100	41,260	81.00	384.0	1.5	7.7	
	Other Wilderness:								
5	Scotchman Pks.#662	47,800	3,500	17,260	35.0	172.8	0.8	3.2	
	Scotchman (outside)	3,900	1,300	3,300	13.0	33.0	0.2	0.6	
6	Galena #677	14800	1,300	6,200	13.0	61.0	0.2	1.2	
7	Cataract #665	17,200	200	7,600	2.0	59.0	0	1.4	
8	Cube Iron #784	500	100	100	1.0	1.0	0	0	
9	Trout Cr #684	26,600	2,160	22,030	21.60	220.3	0.4	4.1	
10	Ten Lakes #683	32,730	0	11,800	0	118.0		2.2	
11	Ten Lks. Cont. #683a	6,800	0	5,000	0	50.0	0	0.9	
	Outside 683 & 683a	3,100	3,100	3,100	31.00	31.0	0.6	0.6	
12	Buckhorn Ridge #661	21,100	3,800	11,970	38.0	69.0	0.7	2.2	
13	Thompson-Seton #483	19,400	1,200	3,940	12.0	30.0	0.2	0.7	
	Thompson-Seton (outside)	7,000	0	3,200	0.0	20.0	0	0.5	
14	Tuchuck #482	1,800	30	100	0.3	1.0	0	0	
15	Grizzly Pk. #667	4,900	1,800	3,520	18.0	35.2	0.3	0.7	
16	NW Peak #663	13,200	100	3,680	1.0	28.0	0	0.7	
	NW Peak (outside)	800	600	600	6.0	6.0	0.1	0.1	
17	Roderick #664	22,100	2,000	21,820	20.0	133.0	0.4	4.1	
	Subtotal	243,130	21,110	122,040	210.1	1,046.0	3.7	23.0	
	GRAND TOTAL	317,480	29,210	166,500	291.1	1,440.0	5.2	31.2	

W-I FOREST PRODUCTS, L.P.

SENATE COMMITTEE ON
ENERGY AND NATURAL RESOURCES
RECEIVED
JUN 2 1 1991
WASHINGTON, D.C. 20510

Bonners Ferry Division
P.O. Box 897
Bonners Ferry, ID 83805
(208) 267-3161

June 14, 1991

U.S. Senate, Committee on Energy and Natural Resources
Public Lands, National Parks, and Forests Subcommittee
U.S. Senate Office Building
Washington, D.C. 20510

Senators:

I would like to make the following comments concerning the Kootenai - Lolo Accords being considered by your subcommittee. I am totally opposed to the Accords, Senate Bill #72, for the following reasons:

1) The Accords originated from only a few select special interest groups attempting to gain support from uninformed organized labor (union) leaders for <u>their</u> specific wilderness proposals.

2) The Accords totallu ignore the desires of many National Forest user groups such a snowmobilers, miners, live stock owners - ranchers, forest products companies, ATV users, sportsmen groups, and many others who had no voice in drawing up the Kootenai - Lolo Accords.

3) The idea that the Accords are a compromise or an agreement is simply not true! Many people who are greatly affected had absolutely no opportunity for input. The recent poll taken in Lincoln County is definite proof of the vast majority of people who felt their views on the accords were not included or even considered for inclusion.

4) The Accords contain no effective release language, -- they would still allow appeals, injunctions (court stays), and lawsuits to stop or delay timber sales. I am quite sure that the presevationist groups designed them this way.

5) The major national preservationist organizations such as the Sierra Club, National Wildlife Federation, and The Wilderness

W-I FOREST PRODUCTS, L.P.

Bonners Ferry Division
P.O. Box 897
Bonners Ferry, ID 83805
(208) 267-3161

Society have not and will not pledge their support to these Accords. This illustrates the fact the Accords will not resolve anything; these groups will still seek litigation to stop further timber harvest any where they so desire in the Kootenai and Lolo National Forests.

As the Resource Manager for the W-I Forest Products sawmills in Bonners Ferry and Sandpoint, Idaho, I am extremely concerned about Senate Bill #72. Approximately 50% of our federal timber to supply these 2 sawmills comes from the Kootenai National Forest. If the areas named in these Accords are included in Wilderness, it will have a direct adverse effect on our timber supply. Areas such as Grizzly Peak, Roderick Mountain, Buckhorn Ridge, Northwest Peaks, and Scotchman Peaks should not be taken out of the timber base. Many of these sites that were once classified as "unsuitable timber lands" are now possible to manage and harvest. With improved economics, and modern logging technology, areas that were previously classified as marginal by conventional logging methods, can now be placed under forest management.

Please consider my points of concern on these Accords and Senator Baucus's bill #72. I believe we should stick to the concept of a statewide Wilderness bill to resolve our land use allocations.

Thank you for listening!

Sincerely,

Charles W. Roady
Resource Manager - W-I Forest Products, L.P.

June 12, 1991
Box 477
Big Sky, MT 59716
(406)-995-4906

Senator Dale Bumpers
US Senate
Washington, DC 20510

Dear Senator Bumpers:

I am writing to you because I am greatly alarmed by a disastrous Senate bill, S72, the Lolo-Kootenai National Forest Management Act of 1991. I'm sure you're getting lots of feedback about this bill right now. I think its so controversial because it is such a terrible piece of legislation.

The release language is not what we would find in a true democracy. Citizens appeals and the right to enforce environmental law in roadless area timber sales would be seriously curtailed under such hard release language. This must be softened.

What's this about no water rights?!! How can such a thing happen? Wilderness areas must retain their rights to water. Take away the water and some of these ecosystems will be totally screwed up. These lands should be preserved as is. The water that falls there, belongs there!

This bill preserves high, ice and rock lands, but very little of the lower elevation forests. Areas that are very important to the wildlife populations of grizzly bears, woodland caribou, wolves, and elk are opened up to logging by multinational timber corporations. What happened to biology? Leading biologists have warned that enactment of such a bill as S.72 would have devastating impacts on the region's worldclass wildlife populations.

Senator, this bill is a forest giveaway. It is harmful to the environment and I ask that you table this bill. Large segments of the public were excluded from formation of S.72. These lands are a national treasure and belong to all Americans. These are the last of our wild lands. They deserved to be preserved forever, not opened up for short term private profit at the publics expense.

Please, in the future consider legislation that is ecosystem-based. Listen to the wild lands, not those who would destroy it.

Please enter this letter in the public record as comment on the S.72 bill.

Sincerely

Jim Stoltz

CHARLES V CAMPBELL & MARION P CAMPBELL
PO Box 27 Florence MT 59833

June 10, 1991

Public Hearings Committee
S. 72 Lolo-Kootenai Accords
Senator Jeff Bingaman, Chairman
Missoula, Montana

Dear Sirs:

We reject the Lolo-Kootenai Accords for the following reasons:

1. The Accords fail to consider plant and animal species restricted both by elevation and by migration corridors. Present concepts seem to favor the high elevation "rocks and ice" for wilderness and leave lower elevation forests for timber management.

To satisfactorily conserve our wilderness heritage, we need wilderness areas in a succession of altitudinal ranges; thus, species occurring in restricted ranges in elevation will be preserved. Also, wilderness areas must be connected by corridors to allow free movement of species between them. Only in this way can we assure preservation of all species of plants and animals, many as yet unknown, along with the natural biological diversity. What other plants, like the yew tree, may be valuable for life-saving medicines?

The quality of wilderness is not measured in acres of "rocks and ice". It is best measured by acres of forest that preserve the original biological diversity.

2. Another failing is the "new" release language in the proposed bill. It releases all present roadless lands to the Forest Service for multiple-use management (harvesting) and deprives citizens of the right to appeal timber sales on the basis of "wilderness suitability" (meaning environmental concerns).

3. Apparently the intent of S. 72 is to make it "impossible for conservationists to appeal a timber sale in a roadless area by claiming the Forest Service failed to consider the area's wilderness values" in order to "release timber and protect Montana jobs". (Quotations are from a letter dated April 14, 1991, to Don W. Wilkins, Local Union No. 2581 of the Brotherhood of Carpenters and Joiners of America in Libby, Montana, signed by Max Baucus.) The right to appeal is the only way citizens have to enforce infractions of the laws, regulations, and self-imposed rules that govern Forest Service operations. Congressional mandates relative to the

Forest Service fail to provide penalties for infractions of the laws that Congress passes.

Without citizens' appeals the Forest Service is free to do anything without redress that its budget allows. The Forest Plans are mostly under citizens' appeals, and the Forest Service is not legally required to respond. We need look no farther than the Forest Plans to see how the Forest Service manages our forests; these Plans focus on timber harvesting to the detriment of all other multiple uses, and Congress has been supporting this single-use focus through the Forest Service's budget.

For these reasons, we request that the Hearings Committee reject the Lolo-Kootenai Accords.

Our recommendation is: review all remaining roadless areas for wilderness potential with the view of preserving the biological diversity throughout the whole range of elevations and latitudinal climates as well as preserving connecting corridors between nearby areas.

Sincerely,

Lowell Campbell

Marion P. Campbell

Copies: Senator Max Baucus
Senator Conrad Burns
Senator Dale Bumpers

June 17, 1991

Subcommitteeon Public Lands, National Parks and Forests
Room 364 Dirkson Senate Office Building
Washington, D.C. 20510

Dear Sirs:

The U.S. Forest Service is a Federal Agency paid by the Federal Government to manage federal lands using our tax dollars and working for the benefit of the majority. If we don't listen to their recommendations- why are we paying them?

RARE II took over 10 years to complete. Two volumes, called Appendix C, with U.S. Forest Service recommendations was finally completed and their proposal made at a cost of over $2.5 million. Involved were 10 to 25 trained specialist in wildlife, water, recreation, and environmentalist just to mention a few. The Forest Service proposal is one that a majority of the people can live with so let's implement it.

The U.S. Forest Service is also planting trees on cut over lands. Trees planted vary from year to year depending on timber cuts and natural regeneration. An average tree plant runs from 3 to 4 million trees annually in the Kootenai National Forest. On the Three Rivers district alone, approximately 800,000 trees were planted in 1990, and over 1 million trees were planted in 1991. The Kootenai National Forest had the largest tree planting program in the region. Trees are a renewable resource even though it takes years for them to grow. How many trees have these special interest groups planted?

Special interest groups want to save our beautiful mountains. So do we. They want to save it with more wilderness at the detriment of these same beautiful mountains. Clear cuts are being replanted, but we will still have all of private industries clear cuts. What of dead bug killed trees or the charred remains after a wildfire? Would that make a more beautiful wilderness scene? At least with the Forest Service management program, our beautiful mountains will remain beautiful for our great grandchildren to enjoy.

Senators- do what is best for our federal lands and people. Listen to your own federal agency on this wilderness situation. SB 72 is NOT the answer. This bill does nothing to take care of the types of appeals this forest normally gets. Appeals and litigations that can and will continue to lock up land use. Through the forest planning process there are over twenty different land management techniques ranging from intensive forestry to wilderness. Our lands, wildlife, water, trees and people are protected and better cared for under the Forest Service proposal (RARE II) then in wilderness.

Thank you for listening to another side of the story.

Sincerely,

John C. Church
Marge Church

John C. Church
Marge Church
2070 Iron Creek Road
Troy, Montana 59935

DON'T PASS THE LOLO-KOO TENAI ACCORDS Date: 6.4.91

Dear Senator Bumpers:

ALTHOUGH NOT COMPLETELY INFORMED ON THIS ISSUE, IT SEEMS TO ME THAT THIS "COMPROMISE" SHOULD NOT BE PASSED IN CONGRESS. AS THE IMPORTANCE OF THE ROCKY MT. REGION AS AN ENTIRE AND SINGLE ECOSYSTEM BECOMES AN ACCEPTED PART OF SCIENTIFIC RESEARCH, IT HAS BEEN COMPLETELY IGNORED BY THIS EXCLUSIVE PANEL OF SELF-IMPRESSED NEGOTIATORS.

Sincerely,
Ellen Lonega, MISSOULA, MT.

Please include this comment in the official hearing record of 8-72, the Kootenai Lolo Accords bill.

Ellen Lonega
241 S. 5TH E. #4
Missoula, MT 59801

June 5, 1991

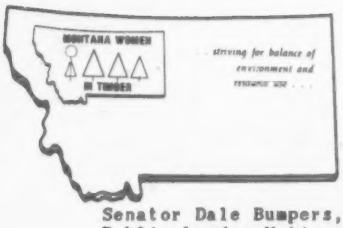
Dear Senator Bumpers:

The main reason that I don't think the kootenai - Lolo Accords should be passed is because the land + resources in question belong to all Americans, not just a group of self-appointed negotiators.

Although I consider myself a conservationist too, I don't believe that my views were adequately represented by the panelists.

I think what is happening to the Northwest timber industry is the result of poor forest management. Sooner or later there will have to be changes made in how our timber resources are to be used. If we seriously want to preserve our forests we'll have to make changes in the way the forest products industry does business with the federal government. That means some sacrifices for everyone, not just workers in the affected regions. Let's try to resolve this issue now by thinking ahead, not with some reactionary stop-gap measure.

Sincerely,
Ellen Lonega



June 8, 1991

Senator Dale Bumpers, Chairman, Sub-Committee
Public Lands, National Forests and Parks
Suite 364, Dirksen Senate Bldg.
Washington, D.C. 20510

Dear Senator Bumpers,

Bitterroot Chapter of Montana Women In Timber is opposed to Senate Bill 72, the Lolo, Kootenai Accords Wilderness Bill for Montana.

It is our opinion that the agreement was reached without the input of many of the concerned citizens and groups in Montana. The union mill workers did not represent the logging industry, and as we understand, the majority of the union members in Libby have since withdrawn their support of the accords document. There was a complete lack of citizen input. Even now, with a hearing to be held in Missoula, the format of the hearing assures that the grassroots people will not be able to voice their opinion. First 15, and then 17 people are to be allowed to speak. These people have no doubt, already voiced their opinion many times to Senators Baucus and Burns, there will be no surprises, but the rest of the State is not to be given that chance, except by written testimony. By the way, Montana Women In Timber opposed the hearing in the first place because we feared that this would be the case, or at best, the time allotted to testify would be cut to one minute.

The passage of this bill would create more wilderness acreage on two National Forests than the Forest Service Plans recommended for the entire State of Montana. That would mean that we totally ignored the RARE 1 and RARE 11 process that led to the Forest Plan recommendations. It would also imply that the Forest Service,(the professional land managers), and the Forest Plans, (which were developed with much time, effort, and public involvement), are not being considered when it comes to wilderness. The last two polls by Eastern Montana University did not indicate that the people of Montana want this amount of wilderness, and the poll taken in Lincoln County certainly shows that they prefer the Forest Service's recommendations or less. Why is it so difficult to get our Senators and Representatives to listen and accept the way the majority of Montanans feel?

Much has been made of the figures of how much suitable timber land would be designated wilderness, but no mention of the other options that are lost once an area is included in the wilderness system. Recreation use is much more restricted, fire control measures are limited, ability to fight insect and disease infestation eliminated, options for building and/or maintaining water storage dams gone. We also think more attention needs to be focused on the "tentatively suitable" timber lands that may end up in wilderness under Senate Bill 72.

Thank you for this opportunity to comment.

Shirley Maydole

BITTERROOT CHAPTER MONTANA WOMEN IN TIMBER
417 COOPER LN., HAMILTON, MT. 59840 (SHIRLEY MAYDOLE-PRESIDENT)

Donald H. Kern
533 Capistrano Drive
Kalispell, MT 59901

Senator Dale Bumpers, Chairman
Senate Subcommittee on Public Lands, National Parks and Forests
United States Senate
Washington, D.C. 20510

June 8, 1991

Dear Senator Bumpers:

I am writing with regard to Senate Bill S. 72, also known as the Lolo-Kootenai National Forest Management Act of 1991.

Like thousands of other Montanans, I am vehemently opposed to this legislation and I ask you to table the bill on the grounds that it is a government giveaway to the timber industry.

Large segments of the public were blatantly excluded from the process which resulted in this bill. Misguided conservationists and the timber industry should not be allowed to dictate the disposition of public national forest lands which belong equally to all Americans, including those who live outside of Montana.

It is important that we settle the wilderness question here in Montana, but not at the expense of the environment. Instead I ask you to support The Northern Rockies Ecosystem Protection Act, which would help to protect the native forest ecosystems of the Northern Rockies.

S. 72 releases 98 percent of these native forest lands to subsidized timber sales and roadbuilding. This is not a compromise agreement. It was written by the timber industry, for the timber industry. I strongly urge you to oppose it and any similar legislation.

Sincerely yours,

Donald H. Kern

Donald Kern

cc: Subcommittee Members
Senator Max Baucus
Senator Conrad Burns

Rem Kohrt
P.O. Box 113
Darby, Mt. 59829

Honorable Dale Bumpers, Chairman, Sub Committee
Public Lands, National Forests and Parks
Suite 364, Dirksen Senate Bldg.
Washington, D..C. 20510

Re: (SB 72) Lolo and Kootenai National Forest Wilderness Act

Dear Senator Bumpers:

I am a forester by training and currently a sawmill manager (Stoltze-Conner Lumber Co., Darby, Mt.). Having worked my entire life in the forests of Oregon, Idaho and Montana, I understand the social, economic and environmental relationships of the federal timber resources, dependent communities, and the needs and desires of involved publics. I am adamantly opposed to the Lolo-Kootenai Accords as proposed..They are devious, discriminatory and non-professional.

We are all veterans of land use concerns over the last 27 years. We are very capable of inventorying and managing these resources in an environmentally prudent manner while using these same resources to satisfy people needs, people desires and the biologic demands of the involved forests and grasslands. Unfortunately our political system has been unwilling or incapable of assessing the ever increasing public needs over time from an ever shrinking natural resource base.

The Lolo-Kootenai Accord was an underhanded effort by special interest groups and persons to create a'solution' that satisfied a certain bias. When a political party, some union management, select preservationists, and middle management of one corporation with the assistance of biased media create such a proposal, they broke faith with dependent public. The union rank and file were never involved in the process, nor informed of the consequences. Neither were other natural resource using groups. The Accord had to be forced into the open by disenfranchised publics. Shame on the Accord participants.

We desire a state wide wilderness bill with effective release language for non-wilderness lands. Our social, economic, environmental and political future depends on a solution that takes into account the very real needs of the public and the needs of the renewable resources. Wilderness as a land use designation is wasteful at best, in that man is taken out of the long term equation. I sincerely hope you return the process to the public and rational political statesmanship. The people deserve no less. Thank you for the opportunity to comment.

Sincerely,

Rem Kohrt

Rem Kohrt

cc: Sen. Bingaman
Sen. Baucus
Sen. Burns
Rep. Williams
Rep. Marlenee

June 9, 1991

Senator Dale Bumpers, Chairman
Sub-Committee Public lands National Forests and Parks
Suite 364, Dirksen Senate Bldg.

Dear Senator Bumpers,

I am writing to express my views on Senate Bill 72. I oppose this bill very strongly, and though I think a wilderness bill is essential for Montana, I do not think this bill is the answer to our on going wilderness debate. Many have said we need to put this polarization behind us, by getting on with this bill, but it is my fear that the passage of this bill would have just the opposite effect. As I am sure you are aware, there has been a lot of dissatisfaction because so many groups and individuals were left out of the Accords agreement. As a matter of fact, I think the recent pole in Lincoln County shows that the local people overwhelmingly voted against the accords. This same trend of how Montanans feel about the wilderness issue was reflected in the latest polls conducted by Eastern Montana University. To disregard the wishes of these people would really polarize the State and especially the local communities.

I really think that a State Wide Wilderness Bill that contains the amount recommended by the Forest Service would heartily be endorsed by all the timber industry if it contained some solid release language that would guarantee that we wouldn't be going through this thing again when they reevaluate the Forest Plans every ten years. And, after all, that was (I thought) the purpose of RARE 1 and RARE 2 and the purpose of the Forest Planners addressing that issue and making their recommendation. To have a wilderness bill that adds, in just two National Forests, more than the F.S. recommended for all the Forests is unacceptable.

The proponents say that not much suitable timber is within the wilderness recommended area. If it isn't suitable timber base material then it probably will not be logged, whether we give it official designation or not. but, once it is in that category, we loose many of our management options and benefits. I would rather see the options for different kinds of management left available to our professional land managers. Even if only two percent of the proposed wilderness is classified suitable timber land, we are in such a critical supply situation that 2% can be important. For instance, if we follow the same piece-meal approach on the Bitterroot, we are already faced with 75% of our National Forest unavailable for timber harvest because of wilderness and roadless designation according to the Forest Plan. The remaining 25% contains some unsuitable land, riparian areas that can't be logged, etc. leaving a very little piece of the pie to supply the wood fiber needs of the industry. And still, every sale gets an appeal (the last sale received 27 appeals). Right now every board foot is important to the people who live here and depend on the timber industry for their jobs.

It is obvious that some of the areas within the Accord boundary have had established use including snowmobiling, and these areas should not be suddenly withdrawn from access for those who have used them in the past. These other user groups did not have adequate input during the Accords process.

Here in Western Montana, we have many families that have already been forced to leave because their livelihood in the wood products industry is being stymied by the preservationists. Lincoln County with an unemployment rate of over 25% tells the future problems those families will soon face. Ravalli County isn't far behind. We need help-and that help does not come in the form of Senate Bill 72, but rather a statewide bill that follows the consensus of the majority of Montana citizens, (the USFS recommendations) and contains some measure for dealing with the outrageous number of appeals.

As a native of Montana and the wife of a logger, I am very concerned about the future of the timber industry here, and I am also very tired of this Wilderness issue, but I sincerely feel that our congressmen can draft a better bill, one that will actually solve more problems than it creates. Thank you for this chance to comment.

Sincerely, Shirley Maydole

Shirley Maydole
417 Cooper Lane
Hamilton, Mt. 59840

419 Stev. Airport Rd.
Stevensville, MT 59870
June 9, 1991

Senator Lale Bumpers
Chairman, Senate Subcommittee on Public Lands,
National Parks, and Forests.
U.S. Senate
Washington D.C. 20510

Senator Bumpers,

I am writing to protest the Lolo Kootenai Accord, S. 72. I know we need an agreement on wilderness management, but I think S. 72 is a forest giveaway. Please table the bill so that further discussion can take place. As a Montanan I would like to see more of the 600,000 acres of lower elevation set aside as wilderness not just because it's more accessible but because the lower elevation land is beautiful and vital as habitat. I would hate to see any more land clear cut for timber or for use of cattle grazers. Also as a Montanan, I know the value of water rights and newly designated wilderness must have water rights. And as an American I think these lands are part of our national heritage and as much as possible needs to be set aside as wilderness. Please consider a more ecosystem based plan such as the Northern Rockies Ecosystem Protection Act.

Sincerely,
Lesa M. Pettinger, MD

903 South 4th Street
Hamilton, Mt 59840
June 8, 1991

Senator Dale Bumpers
Subcommittee on National Parks and Forests
Senate Committee on Energy and Natural Resources
Washington, DC 20510

Dear Senator Bumpers,

Thank you for the opportunity to enter these comments in the official record on S-72, Senator Baucus's bill based on the Lolo and Kootenai Accords.

My wife and I have followed the development of the Accords with great interest. We find them to be a suitable compromise between the various interests involved and support them fully. Senator Baucus deserves much credit for offering this legislation in the face of the inevitable opposition.

Management of Federal lands in Montana must strike a balance between the concerns of the current local residents and the citizenry of the entire United States in current and future generations. It is our opinion that the Accords strike this balance. It is tragic that radicals and zealots on both sides have elevated the hyperbole on this issue beyond the limits of rational discourse. In some cases these individuals have been motivated by radical environmentalism and in others they have been the pawns of deliberate corporate misinformation and greed. Substantial corporate money has been spent defaming the Accords and professional demagogues have been compounding fear and ignorance. And of course, unsavory partisan political grandstanding by members of Montana's delegation has also been a factor. The well financed efforts of a few should not be allowed to subvert a great benfit for all.

Proclamations that the Accords will on the one hand lock up the land for future development or on the other hand allow the rape and plundering of our remaining wildlands are nonsense. The Accords are an excellent compromise and we support them wholeheartedly.

Thank you for the opportunity to comment.

Sincerely,

Dr. and Mrs. Marshall E. Bloom

cc: Sens. Baucus, Burns, Bingaman, and others

Senator Dale Bumpers, Chairman
Subcommittee on Public Lands
U.S. Senate
Washington, D.C. 20510

Dear Senator Bumpers;

I'm a resident of Missoula, MT, and am winding up a career with the U.S. Forest Service.

In the past 40 years that I have witnessed debates over wilderness, nothing has lifted my hopes and spirits as much as the Lolo-Kootenai Accords. Not only did it provide a sensible compromise between jobs and environment, it gave a lot of people hope that there was indeed an end to the hate that characterizes so much of public discourse these days.

Unfortunately, a small minority of well-financed special interest groups with axes (and picks and shovels) to grind want to keep this issue alive for political reasons. Mainly to get rid of Max Baucus and Pat Williams. Through this they hope to eliminate any environmental constraints whatever on the public lands. And this includes not only Forest Service lands but BLM lands, too.

I've listened to a personal presentation on the accords delivered by both woods workers and environmental interests. They make very good sense. I therefore urge you to support S-72. Above all, you and the members of your committee should be making decisions on what is in the long range interests of all the people of the United States, not just a group of local folks whipped into a paranoid frenzy by professional rabble rousers. Please include this in the record.

Sincerely,

Martin Onishuk

5855 Pinewood, Missoula, Mt, 59803

6-7-91

June 6, 1991

Senator Dale Bumpers, Chairman
Subcommittee on National Parks and Forests
Senate Committee on Energy and Natural Resources
Washington, D.C. 20510

Dear Honorable Sir,

We are writing about S-72, the Kootenai and Lolo wilderness bill, of which we are in support. We have visited these areas several times and find them to be beautiful wildlands, which need to be protected from development and destruction. The accords are very conservative it seems, by only setting aside 650,000 acres compared to the amount which would be released. We also heard a presentation by an accords team representing both the timber industry and conservation, and were very impressed by their cooperation and love for the lands.

However, the decision for wilderness should not be left up to the 4,000 voters in Lincoln County. This land is owned by all U.S. citizens, and we expect Congress to look beyond local selfish interests and consider the American Heritage of wild lands to be left to our children. Wilderness lands are a very small percentage of the federal lands in this country; and not all lands should have to provide employment. Don't forget the non-motorized recreationist. The recent vocal opposition group are making unbelievable statements about locking-up the land and causing un-employment. If we're allowed to walk on the wilderness lands, then it is not locked up. The timber industry is already a decreasing industry due to over-harvesting and mechanization. These people need to be re-trained in other fields of employment and accept the fact that life changes. What about the railroad industry and all the other small businesses that fail every day - these people had to make changes. Congress can help by designing a comprehensive re-training program for timber workers. We can't afford to destroy our native lands for a few days of work for a nation which wastes too many paper products anyway.

We urge you to support S-72 and get input from all Americans, not just Montanans. We are not able to attend your hearing since it is during a weekday, when we have to work. It sure would be appreciated if you would hold hearings on weekends so

44-796 0 - 91 - 7

more people would be able to attend. We wish this to be entered for the official record.

Sincerely,

Pat Simmons R.F.Krawiec

Pat Simmons & R.F.Krawiec
P. O. Box 89
Gallatin Gateway, Mt 59730

CC: Senator Max Baucus, Senator Conrad Burns, Rep Pat Williams, Rep Ron Marlenee

1140 Cherry Drive
Bozeman, MT 59715

406-586-5111

June 7, 1991

Senator Dale Bumpers
United States Senate
Washington, D.C. 20510

Dear Senator Bumpers:

We urge you to support and pass the Kootenai - Lolo Forest Management Act (S 72). This legislation was drafted by the bi-partisan residents of the communities of northwest Montana. It represents a true compromise on the timber harvest - wild land issue among the neighbors of these communities.

For years the message to Congress has been clear: We need to keep the lumber mills open and still maintain high quality wildlife and recreational experiences for the public. Passage of the Kootenai - Lolo Act will satisfy both sides of this coin.

Please, do not be influenced by the anti-wilderness rhetoric. This bill will keep plenty of timber available to the mills of the region and still provide protection to some of the most diverse wildlife habitat in the lower 48 states. We feel that this legislation supports the public will as voiced during four public wilderness hearings in Montana during 1989. Our statements, and those of many others, were that we must preserve our communities and livelihoods. In addition, we must preserve the existing wild lands in Montana.

Let us take a positive step and put a portion of the wilderness controversy behind us. The grass roots formulation, by lumbermen and conservationists, of the Kootenai - Lolo Act should serve as a model of how conflicting values can reach a consensus. Please support this Act. Thank you for your time and consideration of this matter.

Sincerely,

Noah & Leona Poritz

Noah and Leona Poritz

4741 Sundown Rd.
Missoula, MT 59801

June 7, 1991.

Senator Dale Bumpers
Chairman, Public Lands Subcommittee
Committee on Energy and Natural Resources
U.S. Senate
Washington, D.C. 20510

Dear Senator Bumpers,

Please include this comment in the official hearing record of S-72.

After over ten years of struggling, the Kootenai and Lolo Accords bring us closer to a supportable wilderness bill. We support S-72 if its final language assures that water in the wilderness accrues only to the wilderness and may not be used outside it, and if the release language used is the same as that of other previous wilderness bills.

In addition we feel that some management rules must be set up for the Forest Service as to the management of the lands released to that agency for management. The timber industry seems to feel that most of it should go to timber sales. The Forest Service must be held responsible to protect wildlife migration corridors and wintering areas when setting the boundaries for timber sales.

You are surely aware of recent work that indicates the great value of recreation in the Rocky Mountain area and of the need to preserve the many components which are part of it. You undoubtedly know that a group of Forest Supervisors have asked that a larger proportion of their budgets be allotted to recreation.

Over time many workers have had to change their job orientation. Timber Industry workers cannot expect to be provided jobs when timber businesses cut work forces. It is very reasonable that they have assistance in retraining for other types of work. They do not have the right to say, "You owe me a forest job."

The opinion of a possible 4000 workers in Libby in opposition to the accords means little as opposed to the citizens of the entire U.S.A. who are the proprietors of the nation's forests.

In general we support S-72 <u>if it protects the water in wilderness and if it follows former release language wording</u>.

Sincerely, Alice H. Austin, Briggs M. Austin

Alice H. Austin, Briggs M. Austin

MONTANA COUNCIL

MARSHALL E. BLOOM, M.D.
CHAIRMAN

903 South 4th Street
Hamilton, MT 59840
Res.: (406) 363-3480
Office: (406) 363-3346

June 8, 1991

Senator Dale Bumpers
Subcommittee on National Parks and Forests
Senate Committee on Energy and Natural Resources
Washington, DC 20510

Dear Senator Bumpers,

Thank you for the opportunity to enter these comments in the official record on S-72, Senator Baucus's bill based on the Lolo and Kootenai Accords.

Trout Unlimited (TU) is a national organization dedicated to the preservation and enhancement of cold water fisheries. The Montana Council of TU (MTU) represents about 1600 members throughout the state of Montana. Our organization was not one of the formal signatories to either Accord, nor were we asked to participate in the hearing on S-72. Nevertheless, we have reviewed the issue in some detail due to potential impacts on the streams and trout fisheries in the respective National Forests. We find them to be a noble compromise between the various interests involved and support them fully. Senator Baucus deserves much credit for offering this legislation in the face of the inevitable opposition.

Management of Federal lands in Montana must strike a balance between the concerns of the current local residents and the citizenry of the entire United States in current and future generations. It is our opinion that the Accords strike this balance. It is tragic that radicals and zealots on both sides have elevated the hyperbole on this issue beyond the limits of rational discourse. In some cases these individuals have been motivated by radical environmentalism and in others they have been the pawns of deliberate corporate misinformation and greed. Substantial corporate money has been spent defaming the Accords and professional demagogues have been compounding fear and ignorance. And of course, unsavory partisan political grandstanding has also been a factor.

Proclamations that the Accords will on the one hand lock up the land for future development or on the other hand allow the rape and plundering of our remaining wildlands are in the words of Walt Whitman "barbaric yawp." The Accords are an excellent compromise. It is the role of your committee to view this matter and to render a decisions with a broader perspective. By discharging this duty you will do the people of Montana and the entire country a great service. Thus, we urge you to consider the facts. MTU is confident that such an unbiased examination will lead to the adoption of the Accords and the passage of S-72.

Thank you for your consideration, and if you are ever in the area, it would be our pleasure to take you trout fishing. Please feel free to contact us for additional information.

Sincerely,

Marshall E. Bloom M.D.

cc: Sens. Baucus, Burns, Bingaman, and others

John L. Noyes M.D.
1197 Montford Rd.
Kalispell, MT 59901
406-756-6362

June 9, 1991

Sen. Dale Bumpers, Chairman
Subcommittee on Nat'l Parks and Forests
Senate Committee on Energy and Natural Resources
Washington, D.C. 20510

Dear Senator Bumpers,

The Wilderness Accords contained in S-72; agreed to by both Industry and Conservationist and sponsored by Sen. Max Baucus must be kept intact.

Though jobs and economies of some communities in Montana will be adversely affected by curtailing the Timber and Mining Industry, the long-term benefits to the other 800,000 residents of Montana and the 250,000,000 citizens of this country will be enormously advanced.

It is not morally right for a people and its Government to use up resources for the immediate benefit of a few and to the detriment of the rest of the country and future generations. A Democratic Government has no duty to guarantee jobs, but a humanitarian responsibility to provide training, education and the basic needs of food, shelter and medical care for all. We have cut down, plowed under, dredged up, paved over, and polluted enough of our country and the rest of the world. The most meaningful and vital resource we can preserve for both present and future generations in this world of expanding populations, is the little unpolluted and undisturbed air, water and land that is left.

What the Human Spirit cries out for is not faster cars, taller buildings and larger shopping malls, but free and open space, virgin streams, lakes, prairies and forests.

Human-kind, hopefully, will be around for thousands of years to come. The Universe is made up of billions of planets, but there is only one Earth. Lets show some restraint, wisdom and foresight and take good care of Her, for Gods sake, for the sake of Humanity.

Sincerely,

John L. Noyes, M.D.

Please include this letter in the official record of S-72

June 17, 1991

Senator Dale Bumpers, Chairman
Subcommittee on National Parks and Forests
Senate Committee on Energy and Natural Resources
Washington, D.C. 20510

RE: Lolo and Kootenai Accords

Dear Senator Bumpers,

The League of Women Voters of Montana has voted to go on record as a formal supporter of the Lolo and Kootenai Accords.

The Accords, signed in June, 1990, represent a monumental breakthrough in the "wilderness logjam" that has plagued Montana for more than a decade. The signing of the Accords followed months of negotiations by mill workers, sportsmen and conservationists. In all, more than 670,000 acres of roadless areas would be designated as wilderness and 530,000 acres would be released for logging, mining and other development.

The most important features of the Accords are that:

98% of suitable timber lands would be released for harvest availability;

better wilderness boundaries, with emphasis placed on setting boundaries rather than on designating acreage;

no new wilderness proposals would be made and no more appeals would be filed if the terms of the agreement are enacted;

parties to the agreement are united in support of the Accords, but would review proposed changes by outside parties.

The Lolo and Kootenai Accords represent the broadest consensus ever achieved by Montanans. As citizen-written agreements, they are innovative and practical in their approach to solving long-held disagreements. Consensus was achieved when other, more traditional processes failed.

We strongly urge you to support S.72. We have, in these Accords, a great opportunity to grant all Montanans a share of our bountiful resources.

Respectfully yours,

Diana S. Talcott

Diana S. Talcott, Vice President
League of Women Voters of Montana
2004 1st Avenue South
Great Falls, MT 59401

Senator Dale Bumpers, Chairman
Subcommittee on Public Lands,
Nat'l Parks and Forests
U.S. Senate
Washington, D.C. 20510

Jun 5, 1991

Dear Senator Bumpers,

I recently retired to Montana following a 20-plus year career in the United States Air Force as an officer and military pilot, including a five-year tour in your fine state of Arkansas. My wife is a 12-year officer in the USAF Reserve. We solicit your support of legislation to protect our last remaining natural resources and wilderness treasures from man's misuse and abuse, in particular: the Kootenai-Lolo Forest Management Accords.

During our years and travels, we have become acutely aware of the devastation mankind is wreaking upon this planet. We are frightened and saddened by the continual onslaught upon our natural resources, including our forests and wilderness areas, in the name of "progress", "jobs", "industrial freedom", etc. We believe that the future of mankind upon planet earth will be determined by our willingness to make the decisions and take the actions to preserve our resources, including forestlands, and the wild species and places that still remain. We have already destroyed too much; we simply must act to preserve what remains before it too is gone forever.

The Kootenai-Lolo accords are an historic compromise of the concerns and needs of an affected area's residents, in terms of job sustainability, and the need to preserve the last great wild areas in the lower 48 states. The accords will provide for manageable and sustainable jobs in the Western Montana forests, while at the same time setting aside those areas which have little real economic value but a great deal of wilderness and spiritual value to all of us as a nation.

The recent efforts by industry-funded wilderness opponents in the Lincoln county area are a well organized diversionary tactic to attempt to deny any oversight to the continued systematic abuse of this region by big business interests. I hope and pray that you and your committee are wise enough to see through their smoke screen, and that you are courageous enough to take the actions necessary to guarantee that all our forests and wilderness areas receive the type of preservation and long-range, sustainable management they deserve as national treasures.

Efforts, such as the Kootenai-Lolo Accords represent, can help you pass legislation which is the best possible choice for the most Americans, and which insures both reasonable job protection as well as the preservation of truly national treasures. This issue is too important to allow "job-only" fanaticism or purely local interests to prevail over the common good. Please support the Accords!

Bernard & Olivia Burgess

Bernard and Olivia Burgess, Lt Col, USAF (Retired) & Captain, USAFR
P.O. Box 218
Kila, MT 59920

1425 Bull Pine Rd.
Bonner, MT. 59823
June 12, 1991

Dear Senator Bumpers:

Having attended the Senate Subcommittee on National Parks and Forests meeting on S-72, Sen. Max Baucus's wilderness legislation, I've written several comments and ask that the following be included in the official record of S-72.

- S-72 represents a compromise of interests. In order for a successful compromise, all major contenders must be willing to sacrafice their ultimate desires, settle for less than 100%. There will always be interests which will never be satisfied by compromise and fortunately these groups usually represent a small portion of the population concerned. I believe S-72, the Accords, represents a viable balance of compromise, one which satisfies the majority of Montana's interests.

- Wilderness designation, as presented in the Accords meeting, met with strong opposition. Opponents indicated that additional wilderness would adversly affect mining, timber, recreational and off-road vehicle sales and tourism which would ultimately increase unemployment and spell economic disaster for Montana. There are two fallacies to this argument. First, the Accords has set aside 2% of roadless lands for wilderness designation. If the remaining 98% cannot prevent the scenario outlined by the opponents it's inconceivable that an additional 2% would make any difference. Second, wilderness does contribute to Montana's economic future through the sale of non-resident hunting and fishing licenses, back country pack trips and a wide range of other wilderness activities supported mainly by our Nation's tourist industry. Montana needs a diversity of land use and that diversity should include a percentage of wilderness lands.

- Montana is blessed with some of the most beautiful land in the Nation. Land which we cannot afford to destroy. Nor should we destroy the opportunity to add an additional 2% to our Nation's wilderness system.

I strongly support S-72, the Accords. Without further ammendments, compromise, or delay. I urge you to vote in favor of S-72.

Sincerely.

Cindy Miller
Cindy Miller

Scott Schiller
Scott Schiller

MONTANA INFO
Tourist Information Service
Al Cluck • Anne Dahl
P.O. Box 1010, Condon, MT 59826
(406) 754-2538

June 10, 1991

Senators Baucus and Burns:

Wilderness is a diminishing resource worldwide. World population will double in our children's life time. Open spaces in Montana will be reduced to the arid regions only. All the places with adequate water will be developed. This is when the tiny specks of preserved wilderness on The U.S. map will be appreciated by the majority.

Today, compromise seems to make sense from a local perspective. We're used to encroached conditions. Surrounded by undeveloped open country, we feel that Montanas existing protected wilderness is abundant. Workers in the timber and mining industry feel threatened by job loss. We'd like to put the wilderness issue to rest and restore harmony in our neighborhoods. But when we consider even the not-so-distant future, we see that it's wrong to compromise the last remaining wildlands for short-term job opportunities and community harmony.

Long term stability, rather than economic growth, must become the goal for the use of our remaining resources. We must manage our already logged and roaded lands for resource extraction, ~~multiple use~~ motorized recreation, and pre-

serve remaining unroaded areas for wildlife, a source of clean air and water, and for solitude.

Please preserve all of the RARE II lands as wilderness. We are opposed to S-72.

Please forgive the hand writing. In the summer we work out of a truck and there is no time to return home to the type-writer. Thank you for the opportunity to comment.

Sincerely.

Anne Dahl
Al Cluck

June 6, 1991

The Honorable Dale Bumpers, Chairman
Subcommittee on National Parks & Forests
Senate Committee on Energy & National Resources
Washington, D.C. 20510

Re: Senate Bill 72 - The Lolo and Kootenai Accords

Dear Senator Bumpers:

I am writing to you today in the hope that my petition, along with those of others, will be heard, weighed and considered in connection with Senate Bill 72 introduced by Senator Baucus.

In Montana today, 3.4 million acres have been set aside for wilderness, divided between 15 areas (Montana's land mass totals 147,000 square miles). That may seem like quite an abundance of wilderness; however, 10 of the wilderness areas are less than a day's hike across. These areas are supposed to serve as "ecosystems" for wildlife and vegetation, mountains and forests. However, many of the areas merely protect a mountain range or a particular drainage from development. In looking at a map of Montana with the wilderness areas included, it becomes obvious that Montana does not have an overabundance of wilderness.

Montana currently has 6 million acres to be designated wilderness and/or released for development. Jobs for the population are important; wilderness is equally critical. A balance between the two can be achieved. It does not have to be one or the other. Environmentalists, recreationists, miners and loggers of the Kootenai and Lolo areas have developed two very fine accords which would set aside 670,000 acres of wilderness while releasing almost 500,000 acres for development; the released acres contain resources 97 percent suitable for development. I am very impressed that opposites sides of the wilderness issue were able to come to an agreement of the magnitude outlined. The accords exemplify what can be achieved when biases are set aside. Of course, there are those who wish to further polarize the issue; I beseech the subcommittee and Congress to adopt these accords as wilderness and break that polarization. This polarization not only costs the Nation priceless wilderness areas, but it also costs us precious jobs.

Senate Bill 72 supports wilderness and it supports jobs for the population. It is a genuinely unique piece of legislation made in Montana for the benefit of the Nation. Please support Senate Bill 72 by recommending its passage through Congress, as well as recommending that President Bush sign the bill to make it law.

Thank you for your consideration. Please enter this letter into the official record for S-72.

Sincerely,

Stormy R. Good
231 Deer Trail
Whitefish, MT 59937
862-4031

6-13-91

Senator Dale Bumpers
U.S. Senate
Washington, D.C. 20510

Dear Senator Bumpers

I was unable to attend the public meeting held Monday June 10th in Missoula concerning the Kootenai-Lolo Accords, but I wish for these comments to beentered in the official record of S-72.

I am a Forest Service employee on the Fortine Ranger District, where I serve as the Resource Forester. The Fortine District contains the Ten Lakes proposed wilderness and portions of the Tuchuck and the Thompson Seton proposed wildernesses. In my position as the Resource Forester, I am responsible for the Recreation, Trails, Range, Special Uses, Minerals, and the proposed Wilderness management programs. This has allowed me to get a very broad and educating perspective on varying concerns in the North Lincoln County area. Over the last 10 years that my family and I have lived in this area, we have taken many hikes and backpack trips into the Ten Lakes. I have also been fortunate enough to be one of the few people that get paid for hiking and doing trail work in the Ten Lakes and the Thompson Seton areas. I have been on all of the trails in the Ten Lakes, and most of those in the portion of the Thompson Setons contained on the District. Each time I hike these areas, I am exposed to new and more fascinating features of these areas. The high mountain meadows, the rushing streams filled with waters that I never fear drinking, the occassional sighting of a grizzly bear or mountain sheep, are just a few of the benefits of my job in these areas. With this being the case, I strongly urge you to support the designation of these areas as wilderness. S-72 does not go far enough in my mind for the protection needed in this area, but it is the best beginning offered at this time.

Over the years that I have spent backpacking and hiking throughout the Northwest, I have seen the development of some our last vestiges of wild land. With each passing acre that is alterred from a natural state into a "managed" one, I wonder where will it all stop. Is the dream of Manifest Destiny still being allowed to continue? Will all lands not currently under Congressional protection as wilderness or national park be turned into tree farms or race tracks for snowmobiles and off road vehicles? I would hope not, but if this is the case, it is essential that we not end up with more ground under pavement than that set aside as wilderness.

I am sure that you are fully aware of the need for areas from all ecosystems that have been "untrammeled" by mankind. Areas that offer a reserve for wildlife, a gene pool that hopefully does not have too much alteration by mans influence, and seclusion for the visitors who are in need of an escape from the pressures of our maddened life styles. Montana is very fortunate in being one of the few states that possesses more than a few acres of such lands, and I feel that this is going to be what helps to keep Montana strong and unique- a place that people may never visit, but will know is there.

At this time, it appears that the main obstacle in the designation of the Ten Lakes as a wilderness, is the snowmobile issue. The news I hear is that a 1000 or more folks visit the Ten Lakes proposed wilderness each year on snowmobiles. As I am in recreation and trails management, I have attempted to get more reliable information on the usage of this area by snowmobilers. For the last two years, the Fortine Ranger District has granted the Ten Lakes Snowmobile Club a special use permit to

groom the Graves Creek Road up to the Therriault Lakes and up Stahl and Clarence Creek Roads (I have included a map so you can reference the location of these roads). In the 1990 use season, we estimated that 100 to 175 people went beyond the groomed trails and into the proposed Ten Lakes Wilderness. This year, we contacted the Montana Parks, Recreation, and wildlife folks, and they lent us a counter that we could place in the main travel corridor accessed by the snowmobilers. This counter was placed the last week of January and removed the 15th of March. The number of snowmobilers using the area in this time frame was only 239. This is the only access route into the Ten Lakes area, and was groomed. The counter was not placed earlier because of the snow conditions not being suitable for riding in the Ten Lakes proposal area, and was removed on the 15th of March as that was the time frame the permit for grooming was issued. The snow conditions were excellant for riding after the 15th, but our wildlife biologist did not want any possible grizzly harassment or disturbance in the early spring when the bears typically begin showing some activity. There was considerable usage in the time frame from mid March to mid May, but from my observations at the parking area provided for unloading snow machines, 15-20 machines a weekend would be the maximum, with the average being more like 5-6. It must be remembered also, that not all of these riders went into the Ten Lakes. It takes an experienced rider to negotiate many of the slopes and the general terrain present in this area. The Thompson Seton proposed wilderness, receives much less usage than the Ten Lakes, and if 40 riders were in this area this winter it would be quite extraordinary. My math may be at fault, but I do not see how this totals a 1000 riders a year.

I do enjoy snowmobiling, but there are lots of other areas to play in other than the Ten Lakes and the Thompson Setons. The effects on the ground are minimal, and I suspect the effects on the wildlife are also minimal (I am not sure of this statement, and have heard all sides of this argument), but must we have our machines everywhere? The intent of the Wilderness Act was to have areas where we returned to a slower, more introspective lifestyle. A chance to have that spiritual reawakening or the removal of the hurry hurry lifestyle. Please help to provide the peoples of America and the world a few more of these "safe" areas. We all need them.

Sincerely,

David Nesbitt
Box 116
Fortine, Mt 59918

City County Building
P.O. Box 1724
316 North Park
Helena, Montana 59624
Telephone 406/447-8304

LEWIS AND CLARK COUNTY

Board of County Commissioners

June 25, 1991

Senator Dale Bumpers, Chairman
Subcommittee on Public Lands,
National Parks and Forests
U.S. Senate
Washington, D.C. 20510

COMMENT FOR THE OFFICIAL RECORD S-72

Dear Senator Bumpers:

By this letter we wish to express our support for the Kootenai-Lolo Accords and the legislation based upon them, S-72.

In the past decade, several Montana wilderness bills have been introduced, but all have failed, largely because major interest groups could not come to agreement with terms of the bills. With the advent of the Kootenai and Lolo Accords, however, reasonable compromises have been reached; they give Congress an excellent opportunity to resolve the wilderness issue in northwestern Montana.

Compromise at the local level is important, but so is compromise between state and national interests. National forest management decisions should reflect the collective opinion of all Americans, but they should also reflect the preferences of Montanans who depend on federal lands for their economic, recreational, and aesthetic uses. That balance between national and regional interests is often difficult to achieve, but the area-by-area approach of the accords negotiators has produced informed site-specific recommendations which would protect both economic opportunity and the wilderness resource. Surely most Americans agree with most Montanans that such a result is highly desirable.

Lewis and Clark County includes portions of three national forests, including the Lolo. Much of the Lolo Forest land in Lewis and Clark County lies within the Bob Marshall Wilderness, but one area - Monture Creek (also overlapping Powell County) - has not yet been included in the Bob Marshall.

We believe the 67,000-acre Monture Creek area would be an excellent addition to the Bob Marshall Wilderness. The proposed Monture Creek addition was the result of compromises made between timber industry representatives and conservationists, it has been recommended for wilderness by the Forest Service, and it has been included in all previous Montana wilderness bills. It is now recommended for wilderness in the Lolo Accord.

The importance of the Bob Marshall Wilderness country to Lewis and Clark County cannot be understated. Equally important is the need for Congress to adjust boundaries of the Bob Marshall Wilderness to include adjacent roadless areas which have been recognized for their high wilderness attributes and which enjoy broad public support for wilderness designation. Monture Creek is one of those areas.

Thank you for your attention to this matter. We request that you include this letter in the official record for S-72, and we ask for your full and active support of the Kootenai and Lolo Accords.

Sincerely,

DAVID E. FULLER, CHAIRMAN

LINDA STOLL-ANDERSON

BLAKE J. WORDAL

montana wildlife federation

P.O. Box 6537
Bozeman, MT 59771-6537
(406) 587-1713

1990 Outstanding State Affiliate of the National Wildlife Federation

June 17, 1991

Senator Dale Bumpers
Subcommittee on National Parks and Forests
Senate Committee on Energy
Washington, D.C. 20510

Dear Senator Bumpers:

On behalf of the 7,000 member Montana Wildlife Federation I am writing in support of S.72, legislation introduced by Senator Max Baucus that will enact the Kootenai-Lolo Accords and finally resolve both the wilderness and timber supply issues on both the Kootenai and Lolo National Forests in Montana.

It is time to enact S.72 and put at least part of the Montana wilderness debate behind us. The Kootenai-Lolo Accords were crafted by an "unholy" alliance of local timber workers and conservationists. The Federation believes that the Accords do indeed represent the middle ground in this debate and have weathered attempts, by extremists from both sides of the issue, over the past year to discredit them. Now that the hearing for S.72 has been held, allowing all parties to be heard, it is time to finally resolve this issue.

It was quite obvious at the hearing (and no surprise) that Senator Burns is pushing for the rape-and-ruin recommendations from the Forest Service for wilderness in this state which is totally unacceptable to the Federation and most other conservationists in Montana. We are not willing to let the Forest Service proposal for wilderness trash our remaining wild lands in Montana. Period.

The Montana Wildlife Federation is committed to working with you and other members of Congress to pass the Kootenai-Lolo Accords into law and finally resolve both the wilderness and jobs issues on these two forests. For the long term well being of Montana, it is time to get the job done.

Please enter this written testimony into the official hearing record on S.72. Thank you.

Sincerely,

Rich Day
Executive Director

DOUBLE ARROW
Outfitters
BOX 495 • SEELEY LAKE, MONTANA 59868
Jack Rich • C.B. Rich (406) 677-2317

Senator Dale Bumpers, Chairman
Subcommittee on Public Lands,
National Parks and Forests
U. S. Senate
Washington, D. C. 20510

Dear Senator Bumpers:

I support the Lolo-Kootenai accords, and ask your support of Senate Bill S-72.

I know that this letterhead, and my position would lead you to believe that I am an environmentalist. To some degree, that is probably true, but I choose to call myself a conservationist.

There must be some way that we can preserve our beautiful forest lands for those who will follow us, and do it positively. At the present time, the only way is Wilderness.

The timber industry cry for making the classification of most of the remaining timber lands so called Multiple Use. However, Multiple Use to them means for logging, by the clear cut method, and when they do, they trash the land so that it is good for nothing but the growing of trees and logging from now on. In this country that means crops of trees about every 100 years.

At the present time, there is literally thousands of acres of what was beautiful forests at one time, that is now trashed by timber clear cutting. That can be avoided. In 1960 and 1961, I owned a 6000 acre place here, and harvested 3,000,000 board feet of trees off of it by the selective cut method. The logger that took the contract was concentious and took only trees that measured over 14 inches in diameter at the but with at least a 32 foot log that would top out 6 inches or better. When he finished taking that canopy off, the young trees grew like weeds, and I believe you could harvest another 2,000,000 now. Areas that were clear cut are much slower, and it looks like it will take another 50 or 60 years to get harvestable timber. Meantime, that land is so badly torn up that it can be used for nothing. Much of the top soil is gone, and so much of it is sterile that nothing is growing on it yet.

If you wish, and have the opportunity, come let me show you what I am talking about. Until better logging methods are used, we are losing beautiful lands at a terrific rate.

Sincerely,

C. B. Rich

4815 SW Findlay
Seattle, WA 98136
6/17/91

Senator Dale Bumpers, Chairman
Subcommittee on National Parks and Forests
Senate Committee on Energy and Natural Resources
Washington, D.C. 20510

Dear Senator Bumpers:

I am writing to urge you to lend your full support to wilderness status for all of the lands in the Kootenai-Lolo accord. I request that my letter be included in the hearing record for Senate Bill 72.

I am currently residing in Washington state, however I have previously resided in Montana for 15 years. I still own property in Montana, and will be returning there to live in a few years. I have travelled extensively throughout the U.S., and I am keenly aware of the situation nationwide regarding wild lands. In Montana we have still have the chance to set aside relatively sizeable parcels of land as wilderness, an opportunity that I do not believe exists anywhere else in the lower 48. If we do not seize that opportunity now, it will be lost!

Lest you interpret this letter as coming from a "hard core environmentalist", please allow me to divulge a little of my background. I have worked in the national forest of Montana as a thinner, during which time I have used a chain saw to down thousands of trees. I have also worked as a geologist in Montana's oil fields. While attending college at Montana State University, I worked for 5 summers as a ranger in Yellowstone National Park. And finally, I worked for 4 years as a science teacher in Kalispell, Montana. So I have worked both in resource extraction, and in resource conservation, and as a teacher I try to present my students with a balanced picture.

And it is balance that we will achieve by approving the Kootenai-Lolo accord. I fully well realize that we cannot totally lock up our public lands to resource extraction; we are a society that is dependent upon resources. And I realize that for every resource that we do not produce domestically, we drain our economy of dollars when we import those resources from abroad. However if one examines the quantity of our public lands in the Kootenai National Forest, for example, that are utilized for timber harvesting, versus the land designated for wilderness, then the argument for more wilderness designation is compelling.

We have allowed so much of the Kootenai National forest to be harvested so rapidly that we have violated the concept of sustained yield, and as a consequence the timber industry is

pushing to harvest the last of the marginal stands that still remain. I argue that those lands should be kept wild.

Why wild lands? I have spent many days hiking, fishing, cross country skiing, and hunting in the mountains of NW Montana. I assure you sir, that there is no country in the "lower 48" that approaches Montana it in its wild, rugged beauty. It is, in fact, the quality of Montana's wild lands that make Montana what it is, and preserving these wild lands is instrumental for Montana's future.

Statistics show that tourism is becoming the most important component of Montana's economy, and there is every indication that this trend will continue unabated. Why tourism? Because there is no place else in the contiguous states that has the amount of unspoiled land as does Montana, and that is precisely why people want to go there. Whether it be camping, fly fishing, hunting, skiing, hiking, or mountain biking, Montana has the reputation as being *the* place to go.

The appeal that Montana has for tourists rests in large part on the natural beauty which one experiences there. Although Montana has more than its share of resource producing areas, there are still many places that have not been touched heavily by the hand of man. I doubt that any tourist has gone to Montana to enjoy a vista of clearcuts. It is clear to many Montanan's that our wild lands are our future, and we must preserve them.

I recently had the opportunity to enjoy a 4 day winter mountaineering trip into the Ten Lakes/Theriault Pass area of the Kootenai National Forest. I spent those 4 days travelling through virgin forests, and save for passing aircraft, never encountered any sign of the mechanized society in which we all spend most of our lives.

There is a need for wilderness for *all* people, whether it be for those who wish to travel in it for a few days a year, those who fish in the pure waters that emanate there, or those who enjoy the serenity of viewing a mountain vista in its natural state. I urge you to support Senate Bill 72, providing wilderness designation for the lands in the Lolo and Kootenai National Forests, both for the benefit of Montanan's and for those other Americans who recreate and vacation there.

Sincerely,

Glenn E. Monahan

GLENN E. MONAHAN

6/12/91

Dear Senator Pumpers

Please include my comments in the official hearing record at S-72.

Northwestern Montana contains some of the most spectacular wilderness left in this country and I feel we have an obligation to preserve these last remnants of primitive America for our children. These lands are critical for protecting some of our rarest wildlife such as grizzlies and wolves.

After years of taking extreme stands on the wilderness issue, both environmentalists and the timber industry decided to set aside their differences and negotiate a compromise. Both sides should be congratulated on being able to achieve a fair compromise that will save jobs, yet preserve some of our nations most treasured wildlands. I strongly agree with the wilderness areas that the Kootenai-Lolo Accord proposes to set aside. These lands

BEST AVAILABLE COPY

are owned by all Americans, and the voice of all Americans must therefore determine the fate of these lands. I have travelled the west extensively and have seen too many of the public lands I appreciate most clearcut and roaded to shreads. The Accords will protect the most sensitive areas more and more Americans are using to hike, camp, fish, and hunt.

Thank you very much for considering my views,

Sincerely,

[illegible]

BEST AVAILABLE COPY

Rocky Mountain Elk

June 17, 1991

Dear Senator Bumpers;

I am writing, as a citizen of Montana, to express my support for the Lolo and Kootenai Accords, and S-72. Montanans have finally found a way to bring many different views together in compromise, and we ask you to support us. We need a reasonable solution to what has become a long debate.

The areas proposed for wilderness in the Accords are priceless national treasures; as a biologist, I am especially aware of their value to the natural world.

Please include my letter in the official record. Thank you.

Sincerely,

Elaine K. Catron

Montana Audubon Council

Chapters:

Bitterroot Audubon
Bitterroot Valley

Flathead Audubon
Flathead Valley

Five Valleys Audubon
Missoula

Last chance Audubon
Helena

Pintlar Audubon
Southwest Montana

Rosebud Audubon
Miles City

Sacajawea Audubon
Bozeman

Upper Missouri Breaks Audubon
Great Falls

Yellowstone Valley Audubon
Billings

Senator Dale Bumpers
Chairman, Public Lands Subcommittee
Committee on Energy and Natural Resources
U.S. Senate
Washington, D.C. 20510

June 4, 1991

Dear Senator Bumpers:

On behalf of the Montana Audubon Council I wish to submit this letter for inclusion in the hearing records for the Kootenai-Lolo Forest Management Act.

Last summer, I was personally thrilled to hear that conservationists and timber workers had managed to iron out a compromise that met or exceeded conservationist's previous wilderness recommendations, yet allowed 98% of the suitable timber base to be released. These Accords proved beyond any doubt that wilderness and commodity production can coexist even in Montana's most productive National Forests. The wilderness versus jobs argument has no validity in light of these Accords, and many of us hope that the Accords can serve as a model of how reasonable people with different points of view can work together in good faith, and in the spirit of compromise, to create acceptable resolutions to the wilderness debate and other land use issues in Montana.

Some individuals oppose the Accords, apparently because they view compromise as defeat. Others have had their egos bruised, because their particular group was not invited to the negotiating table. Although the Montana Audubon Council was not party to the negotiations, the Council has chosen to look beyond petty concerns and has voted to support the Kootenai and Lolo Accords.

Like other groups, Auduboners have concerns about the unclear, nonstandard release language and the lack of affirmative wilderness water rights language in S 72. With these appropriate changes, we urge you to work for enactment into law of the Lolo and Kootenai Accords.

Sincerely,

Jack Kirkley

Jack Kirkley,
President, Montana Audubon Council

930 East Reeder
Dillon, MT 59725

recycled paper

Mike McGrew
Star Route Box 1031
Condon, MT 59826
(406) 754-2347

6/5/91

Dear Senator Burns:

I am writing you in regard to S.B. 72, the Lolo-Kootenai Accords.

I have lived in Montana for over fourteen years. During this entire time my income has been provided by the timber industry. For the part eleven years I have worked for Pyramid Mountain Lumber, serving in the capacity of lumber grader for almost seven of those years.

However, I feel the timber industry has greatly over-reacted to the wilderness issue. The amount of timber to be set aside under this bill is negligible when compared to the amount which would be released. For the sake of our children, and the future of this state, we need to preserve as much of our wildlands as possible, while more effectively managing our timberlands.

Therefore, I am asking you to support S.B. 72, the Lolo-Kootenai Accords.

Sincerely,

Mike McGrew

Senator Dale Bumpers
Subcommittee on National Parks and Forests
Senate Committee on Energy and Natural Resources
Washington, DC 20510

Dear Senator Bumpers:

I support Senator Baucus' proposed legislation enacting the Lolo-Kootenai accords for national forest management and wilderness in northwestern Montana. The accords are based on a plain and simple approach -- looking at the land and its resources, finding out what people need from the land, and setting the management based on these considerations.

The accords set wilderness boundaries that protect key watersheds and wildlife habitat, they open most of the timber-producing roadless country to logging (and prevent wilderness-based appeals of timber sales in these areas), and they secure Montanans' recreational future to enjoy the pristine streams, alpine basins, and trackless meadows that we've assumed would be there forever. The accords are good for hunters and loggers, downtown businessmen and tourists, private landowners and family recreationists.

Perhaps more importantly, the accords clearly demonstrate what most of us hoped would prove true -- Montanans working together can reach reasonable solutions to federal land-use questions. The accords were forged by local conservationists and local timber millworkers. Champion Timberlands, ASARCO Minerals, the Montana Wilderness Association and the Montana Wildlife Federation have all expressed support. Old animosities were left behind because the solutions make sense on the ground.

Now the trashers are moving in, slandering the accords and the good work and motives of people who worked so hard to develop them. Their actions are a smokescreen for those who want no limits on what they can do to the land. It's Willie Horton in the wilderness debate. There's no room for that kind of tactic, and I trust you won't be a part of helping it succeed.

I ask you to support the legislation on behalf of Montanans who know the land of the Kootenai and Lolo, and who have developed a balance for managing it. It's time for Congress to listen and to get on with passing the keystone legislation to implement the Lolo and Kootenai accords.

Sincerely,

Hugh Zackheim

Hugh Zackheim
315 Ming Place
Helena, MT 59601

Herak-Sand
6101 Marsh Creek Road
Charlo, Montana 59824
June 10, 1991

Senator Dale Bumpers, Chairman
Subcommittee on National Parks and Forests
Senate Committee on Energy and Natural Resources
Washington, D.C. 20510

Dear Senator Bumpers:

We are writing in support of the Lolo-Kootenai Accords. We have been impressed with the mutual respect demonstrated by those who negotiated the Accords. We are especially proud of our brothers and sisters in the unions who have demonstrated a concern for stewardship of the land.

We believe strongly in wilderness preservation. We would prefer to see all roadless areas in our national forests remain roadless. We appreciate those who work for including the maximum number of areas in wilderness.

We do not believe that we can succeed at having all of the lands under study protected as wilderness, however. If the land continues to be tied up in "all-or-nothing" struggles, we fear that all of us, including the land, will be the worse for it. The Accords bind all parties that are signatory to them, and we believe the unity-in-diversity they represent will, in the long run, prove more protective of the land and of the Montana community than any other available option.

We pray that the land will be managed with care and protected with reverence, recognizing its sacredness and its critical importance to the survival of the Earth and all who live here.

Sincerely,

Robert E.H. Sand

Mary Herak

cc: Senator Max Baucus

Senator Conrad Burns

P.O. Box 201
Polson, Montana 59860
June 10, 1991

Senator Dale Bumpers, Chairman
Subcommittee on National Parks and Forests
Senate Committee on Energy and Natural Resources
Washington, D.C. 20510

Dear Senator Bumpers:

Thank you for coming to Montana to hear our concerns on the critical issue of how best to manage and protect our remaining roadless lands. We write in support of the Kootenai and Lolo Accords, though we do so with reservations.

One of the undersigned, Thompson Smith, is currently writing a doctoral dissertation for Yale University on the environmental history of western Montana, and this has led us to see quite clearly that for most of our state's history, Montana's public lands have been abused and overused, primarily for the benefit of the extractive industry corporations that have cared little for the long-term health and well-being of either the land or the people. Though we now see a phenomenon of Montana workers opposing wilderness designation of our roadless areas, this we believe is largely the result of the agitation and fearmongering of the owners of the industries. It is not a real "working class movement." Throughout Montana's history, exploitation of the land and the people has proceeded hand in hand. These workers are fearing for their jobs **for the same reason** that environmentalists are fearing for our wild places: the timber companies have cut their private lands beyond sustainable capacities, and are now pressing for the right to exploit what little unprotected and unplundered public land still exists.

If the lands are not protected, however, it will only briefly delay the economic bust now facing Montana's timber workers. Unless something is done, it is the working people, as always, who will be unjustly forced to pay the price for long-term corporate negligence in Montana. The question is merely whether the bust will come after too many trees and ecosystems have been destroyed, or with the present few remnants protected.

Ridiculously, the corporations are managing to blame this situation on environmentalists. The Accords are, in some respects, a welcome break from all this confusion. Workers and environmentalists are finally beginning to see each other as natural allies in the fight for a sustainable future in Montana. The Accords present a rare chance to mend a needless rift in our communities. We ask you to take a courageous and responsible

stand and support them in this effort.

We support the Accord with reservations, however, because in our view they still protect too small a share of the roadless lands. Little over a century ago, there were over **95 million acres** of "roadless lands" in the Territory of Montana. Today, outside of the few areas already protected, there are only 6 million acres left. The economic benefit of twenty years of clearcutting, which will accrue mostly to company executives and not to workers and their communities, is not worth the sacrifice of this priceless natural heritage.

We also feel that more funds need to be committed by Congress to retraining and aiding displaced timber workers in our region. This is perhaps the most humane measure that could be taken in attempting to relieve the pressures on the public lands.

It is indeed possible to bring a future to this state that protects the awesome national treasure of our free wild places and also affords stability and security for working men and women. Ultimately, this may require a regional approach such as that proposed by the Alliance for the Wild Rockies. In the meantime, the Accords are a historic step in this direction. With stronger measures for the protection of unroaded lands, the Accords would be worthy of your approval.

Sincerely,

Thompson R. Smith

Thompson R. Smith

Karin Stallard

Karin N. Stallard

cc: Senator Max Baucus
Senator Conrad Burns

44-796 0 - 91 (224)